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THE LOUISIANA HISTORICAL SOCIETY

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THE LOUISIANA
HISTORICAL QUARTERLY

VOL. 21, NO. 4 OCTOBER, 1938

ANNUAL MEETING OF SOUTHERN HISTORICAL ASSOCIATION TO BE HELD IN NEW ORLEANS

By FRED COLE

The Fourth Annual Meeting of the Southern Historical Association will convene in New Orleans on November 3-5, 1938. This recognition of the interest in Southern History displayed by Louisianians in general and by the members of the Louisiana Historical Society in particular is deserved, and it is well that the hosts for 1938 should be familiar with the activities of the Southern Historical Association. This sketch is intended to acquaint the members of the Louisiana Historical Society and other readers of the QUARTERLY who are not members of the more inclusive organization with its history, purpose, and accomplishments.

The Southern Historical Association was organized in November, 1934, at Atlanta, Georgia, by a group of historians representing various Colleges and Universities of the South. The need for such an organization had long been a topic for discussion whenever Southern historians gathered. The interest in a more modern approach to the study of Southern history inculcated by such scholars as William A. Dunning, Ulrich B. Phillips, and William E. Dodd had caused many to regret that there was not an association and a publication that would serve to correlate and present the results of more recent research and the revised interpretations in the broad field of Southern history. These men and their students had shown that there was a definite place for specialized study that would emphasize the Southern development in broader outline than state or section, and with an approach neither defensive nor biased, seeking only the truth as revealed by the results of scientific historical research.

The Southern Historical Society founded in 1869 at New Orleans had been Confederate in its origin and viewpoint and had so remained as long as it survived. The later Southern History Association founded in 1896 had aimed to serve a broader purpose, but its membership was drawn mainly from those who were interested in history as an avocation and it had come to be impotent as a means of presenting Southern history. Both of these organizations had served a worthy purpose in preserving documents and other materials, and in supporting short-lived publications, but they no longer filled the need. It was apparent to trained historians who had a real interest in the proper presentation of the history of the Southern region that the new enthusiasm evident in the study of Southern historical problems would be better maintained and cultivated if there was synthesized effort in the work. It is then not surprising that the Southern Historical Association came into being; it is surprising rather that it had not been developed at an earlier date. The rapid growth of the new organization and the keen interest displayed in its work have well repaid the effort of those who were responsible for its initiation.

Invitations to a meeting to form such a society were issued to representative historians to meet at Atlanta on November 2, 1934. About a score of historians representing nearly as many institutions were present in response to the invitations which were sent out over the signatures of Charles M. Knapp of the University of Kentucky, Philip M. Hamer of the University of Tennessee (now of the National Archives), Thomas P. Abernethy of the University of Virginia, and Benjamin B. Kendrick of the Woman's College of the University of North Carolina. Plans were formulated, a constitution and by-laws were drawn up, and a staff of officers were elected. E. Merton Coulter of the University of Georgia was chosen president. At the same time it was decided to publish a quarterly to be called *The Journal of Southern History*, and as the Louisiana State University offered to guarantee its publication until such time as it should become self-supporting, the success of the magazine was assured. Wendell Holmes Stephenson of the Louisiana State University, chosen Managing Editor, and Edwin Adams Davis of the same institution as Editorial Associate, were to serve with the aid of an editorial board of eight members in publishing the JOURNAL. The first board of editors consisted of Philip M. Hamer, Dwight L. Dumond of the University

of Michigan, E. Merton Coulter, Fletcher M. Green of the University of North Carolina, Thomas P. Abernethy, William C. Binkley of Vanderbilt University, Richard H. Shryock of Duke University, and Charles S. Sydnor of the University of Mississippi (now of Duke University).

The first annual meeting of the association held at Birmingham, Alabama, October 25-26, 1935, was attended by an optimistic group of 109 members. Every Southern state was represented and several from without the South were also in attendance. The report of the committee on membership showed an enrollment of 354 members at the end of the first year of the association's career. The second annual meeting held at Nashville, Tennessee, November 19-21, 1936, showed a growth of almost fifty per cent in registrations at the meeting over the preceding annual meeting, and the membership had increased to a total of 598 at the end of the second year. The third annual meeting was held at Durham and Chapel Hill, North Carolina, in November, 1937, with an official registration of 354 at the meeting; and in the meantime the membership had grown to more than 700. Louisiana had been represented with a larger membership than any other state until 1937, when North Carolina took first place. The widespread interest in the association and the JOURNAL was shown by the distribution of members in the 1937 report of the secretary-treasurer. In order of numbers they were: North Carolina, 65; Louisiana, 62; Virginia, 48; Alabama, 47; Tennessee, 46; Georgia, 45; Mississippi, 42; Florida and Texas, 26 each; Kentucky and South Carolina, 25 each; District of Columbia, 23; New York, 21; Arkansas and Illinois, 14 each; Massachusetts, 13; Ohio, 12; Indiana, 11; Maryland, Pennsylvania, and West Virginia, 10 each. All of the other states except Iowa, Maine, and Nevada were represented, and there were also members in Argentina, Canada, England, and France.

The publication of the *Journal of Southern History* has been the most important function of the Southern Historical Association. The Southern area has shared largely in the events and developments in American history, and the Southern locale is an unusual storehouse of historical source material. Whether engaged in adding to historical knowledge in general or in contributing to historical bibliography of a regional nature, the research worker in history has need of media of publication at or near the field of his labors. The state historical journal meets this need in part, but where the project crosses state boundaries such journals do

not always serve as adequate organs. Valuable historical monographs and documents have often been relegated to obscurity because of the lack of a proper medium of expression.

In the first issue of the JOURNAL the purpose and scope of the Association and its publication were interpreted by its managing editor to be "provincial only in object. Interest in Southern history," he added, "is not limited to the South, as is evidenced by courses in that subject offered in institutions of higher learning in almost every section of the country. Likewise, scholars, researchers, and writers are scattered throughout the United States. Membership in the Association is limited only by interest in its objectives. It was perhaps natural that historians in the South should take the initiative in forming the Association, but they have no intention of making the organization exclusive." With book reviews and historical news along with articles of adjudged value, the magazine gives a proper synthesis to Southern history treated from a regional standpoint in relation to the development of the United States in the broader sense.

The first or 1935 volume of the JOURNAL contains seventeen articles and four documents; the 1936 volume contains seventeen articles and two documents; and the third volume has fifteen articles and five documents. Each issue of the JOURNAL includes reviews of the principal books relating to Southern history, prepared by outstanding scholars, and historical news designed to acquaint the members of the historical guild with the activities of their colleagues. The aim is to give a well-rounded view of what is being accomplished in Southern history. The response in memberships and in enthusiasm is tangible evidence that the Association's purpose is materializing.

A list of the more significant articles should suffice to show that the policy of broad interests and comprehension has been upheld. In the first volume are included: "Great Britain, the United States, and the Negro Seamen Acts, 1822-1848," and "British Consuls and the Negro Seamen Acts, 1850-1860," by Philip M. Hamer; "The Beginning of Printing in Mississippi," by Charles S. Sydnor; "The Propaganda Literature of Confederate Prisons," by William B. Hesseltine; "Stephen A. Douglas' Efforts for Peace," by George Fort Milton; and "The Work of Southern Women Among the Sick and Wounded of the Confederate Armies," by Francis B. Simkins and James W. Patton. A document in this

volume edited by Herbert A. Kellar, "A Journey Through the South in 1836; Diary of James D. Davidson," includes an interesting account of New Orleans by a Virginia traveler.

Volume II includes the following articles: "What the South Has Done About Its History," by E. Merton Coulter; "Some Problems Involved in Writing the History of the Confederacy," by Charles W. Ramsdell; "Charles Williamson and the Burr Conspiracy," by Thomas R. Hay; "The Advance of Methodism into the Ante-Bellum South," by Walter B. Posey; "Legal System of the Confederate States," by William M. Robinson, Jr.; "Jackson's 'Rhea Letter' Hoax," by Richard R. Stenberg; and "Walter Lynwood Fleming: Historian of Reconstruction," by Fletcher M. Green. A document, "From Louisville to New Orleans in 1816: Diary of William Newton Mercer," edited by Edwin Adams Davis and John C. L. Andreassen, gives a valuable sketch of the Mississippi River region and New Orleans in that period.

In the third volume there are three articles of significance to Louisiana history. "From Tillman to Long: Some Striking Leaders of the Rural South," by Daniel M. Robison, gives a very stimulating evaluation of the leaders of the New South and compares them with the so-called statesmen of the earlier South. "Survival of the Plantation System in Louisiana," by Roger Wallace Shugg, attacks the proposition that the plantation system was destroyed by the Civil War and shows instead that although there were changes in ownership the trend was to larger landholdings rather than to small farms. "Vicissitudes of Early Reconstruction Farming in the Lower Mississippi Valley," by B. I. Wiley, is concerned principally with Louisiana and shows the difficult lot of Northerners as well as natives who cultivated land which had come under the control of the Federal armies. Both complained bitterly of the system as it existed under the direct supervision of governmental and army officials. These articles orient local problems to the general.

Among other articles in the same volume are: "The Changing Interpretation of the Civil War," by Charles W. Ramsdell; "Zebulon B. Vance as War Governor of North Carolina, 1862-1865," by Francis Butler Simkins; and "Amusements in the Republic of Texas," by William Ransom Hogan. An article by Walter Prichard which is to appear in an early issue of the JOURNAL traces the history of the experiment that Louisiana attempted in the 1830's for improved agricultural methods through a "Model Farm."

The *Journal of Southern History* is the most significant accomplishment by the Southern Historical Association thus far and it will continue to serve its purpose of binding the members together. But as the membership grows there will appear new publications and enterprises under the sponsorship of the Association. Combined with the results to be attained from association with those interested in a common purpose, the Southern Historical Association is destined to become a valuable instrument in preserving and correlating the records of Southern life and institutions.

Membership in the Southern Historical Association, which includes a subscription to the *Journal of Southern History*, may be obtained by writing Fletcher M. Green, University of North Carolina, Chapel Hill, North Carolina. Annual dues are three dollars. Members of the Louisiana Historical Society are cordially invited to affiliate with this larger organization in the field of Southern history. The sessions of the forthcoming annual meeting in New Orleans are open to all those interested, and it is hoped that members of the Louisiana Historical Society and all others interested in historical programs will avail themselves of the opportunity to attend the sessions.

At least one joint meeting of the Southern Historical Association and the Louisiana Historical Society is being arranged by the Program Committee for the New Orleans meeting, and many of the papers of the general sessions will deal with topics which are closely connected with Louisiana History. It is therefore expected that the membership of the Louisiana Historical Society will feel free to attend any of the general sessions in which they are interested. Printed programs for the annual meeting will be ready for distribution well in advance of the date on which the convention is to assemble.

SHIP LISTS OF PASSENGERS LEAVING FRANCE FOR LOUISIANA, 1718-1724

Translated by ALBERT LAPLACE DART

FOURTH INSTALLMENT

The first installment of this list will be found in *Louisiana Historical Quarterly*, XIV, 516 (October, 1931); the second in *ibid.*, XV, 68 (January, 1932); and the third in *ibid.*, XV, 453 (July, 1932).

The present installment of this interesting paper covers the period from July 1, 1719, to April 11, 1720, while headquarters was on the Gulf Coast and before the removal of the same to New Orleans, which occurred in 1722.

VI

1719

Roll of the passengers embarked on the vessels of the Company of the Indies for Louisiana since July 1, 1719.

List of the concessionaries (or grantees), private passengers, infantry officers, cadets, soldiers, exiles by order of the King and all others who have been embarked at La Rochelle to pass to Louisiana from July 1, 1719, to this very day. Namely:

ON THE SHIP "THE TWO BROTHERS", SAILED AUGUST 19, 1719
CONCESSION OF THE CHEVALIER DE TOURNEUILLE

Mr. Le Chev'er de Tourneuille

Workmen

Adrien Pigeon
Charles Robin
Jacques Millet
Jean B'te Cesar, negro
Jean Moras
Jacques Pesson
Marie Audebran, servant

Concession of Mr. Villemont

Mr. de Villemont
Made. de Villemont, his wife
M'lle Jean de Villemont } their children
M'lle Marie Anne de Villemont }

Workmen

Jean Tabarre
Eustache de Lignaule
Alphonse Ninger
Mathurin Charvau
Charles Antoine Morisset
Jacques Chaigneau
Marie Girarde
Anne Broutier
Tudick Manie
Anne Vrignault
Jean B'te David
Henry Gedeon

Concession of Mr. Chantreau de Beaumont

M. Chantreau de Beaumont
Catherine Aubry, his wife
Madeleine Chantreau }
Francois Chantreau }
Marie Michel Chantreau } their children
Antoine Chantreau }
Charles Hurau, his son-in-law

Valets

Pierre Namblard
Pierre de Nantes
Nicolas Crochet

Private Passengers

Pierre Dumans, tailor
Marie Anne Dumans, his wife
Le Sr. St. Olivier
Le Sr. Love
Marie Fermignac, wife of Sergeant Guerin who left on the Flute "La Marie"
Jean La Rieux } her children
Marie La Rieux }

Persons engaged in the service of the Company

Mathurin Bonnet, master-carpenter of artillery
Francois Bonnet } his children
Nicholas Bonnet }

Officers

Le Sr. de Reclot, officer in expectation
Le Sr. Lafon ditto

Names	*Place of Birth*	*Age*	*Height (ft. in.)*	*Hair*
Pierre Delmas, sergeant....	Rodez in Languedoc...	25	5.5	chestnut

Cadets

Names	*Place of Birth*	*Age*	*Height* (ft. in.)	*Hair*	*Trades*
Bonnere Francois Langlois	Paris	19	4.9	ditto	
Le Sr. de St. Just	ditto	24	5.2	blond	
Richard Masson	ditto	31	4.8	black	
Le Sr. de la Commerie	ditto	20	4.8	chestnut	
Le Sr. Hugot	Troys in Champagne	17	4.8	black	
Le Sr. Baudouin	Paris	13	4.5	blond	

Soldiers

Alexandre Aufret	Paris for N. O.	18	5.	black	carver
Pierre Paillard	Abbeville	15	4.½	chestnut	
Jacques Philippe Pezé	Betune in Artois	22	5.	ditto	wigmaker
Nicolas Poyer	Paris	31	4.10	ditto	
Jean B'te de Condamine	Nimes	19	5.	ditto	
Jean B'te Lemaitre	Caen	32	4.8	ditto	baker
Jacques Contant	Angers	16	4.7	ditto	laborer
Jacques Normandin	La Rochelle	18	5.	black	baker
Guillaume Rolland	Paris	16	4.	chestnut	
Martial Simon	Nantes	14	4.6	ditto	
Charles Marchand	St. Gervais near Alencon	23	5.	ditto	laborer
Alain Brian	Ponscore in Brittany	22	5.	ditto	ditto
Pierre Tostain	St. Pierre Lizieux	23	4.8	ditto	ditto
Pierre Paysant	St. Jean of Angely	30	4.8	black	hatter
Joseph Houssaye	Port Louis	33	5.	ditto	sailor
Pierre Ponan	Metz	27	4.8	chestnut	
Jacques Joseph Barbotte	Dol in Brittany	40	5.2	black	laborer
Jacques Lenaud	Xaintes	22	5.1	chestnut	mason
Jean Paren	Rouen	20	4.8	black	rope-maker
Francois Roy	Montigny	30	4.10	ditto	laborer
Francois Losserandes	Savoy	40	5.	ditto	gardener
Jacques Guignard	Croizie in Brittany	18	4.8	chestnut	
Pierre Achard	Bordeaux	30	4.5	ditto	laborer
Laurent Monier	Marinande in Guiène	14	4.6	black	locksmith
Pierre Peltier	Nantes	21	4.8	ditto	weaver
Pierre Dominique Bayard	Valencienne	32	4.10	chestnut	
Jacques Harnault	Saintonge	22	4.8	ditto	weaver
Mathieu Courtineau	Charente	36	5.2	black	

Tobacco Smugglers

Pierre Ducret	Mans	40	5.	black	weaver
Louis Malbos	Saussignargue	40	5.2	light	shoe-maker
Louis Marsseau	Bersuire	24	5.	ditto	weaver
Marguerite Cartier, wife of Malbos					
Claude Liepart	Monchetlaby	65	5.3	gray	baker
Francois Momieur	Brenneville	25	5.2	chestnut	weaver
Jean Ste. Brissy	Chassigny	24	5.3	ditto	stone-cutter
Andre Langlois	Faucour in Normandy	55	5.3	ditto	laborer

Dealers in contraband salt

Names	*Place of Birth*	*Age*	*Height (ft. in.)*	*Hair*	*Trades*
Claude Chetivot	Soissons	45	5.3	gray	
Claude Chapelle	Ste. Marie of Bois	37	5.3	black	
Claude Manez	Berry	35	5.4	light	able seaman
Charles Druin	Biron Sorce	36	5.3	ditto	ditto
Charles Demarty	City of Andoussy	38	5.3	ditto	weaver
Pierre Morin, called Claire Fontaine	Sette	35	5.3	ditto	
Jean Jerboz	Sernion	32	5.4	ditto	
Jean B'te Minozet	L'Ossosigny	30	5.1	ditto	
Jean Lefebre	Angers	49	5.1	gray	
Jean Royon	Breneuil	18	5.2	blond	
Jean Savouret, called Canville	Canville	60	5.1	gray	
Jean Bigord	Longueil	20	5.4	black	shoemaker
Jean Dumoulin	Origny	30	5.	ditto	brewer
Jacques Dertin	Abbeville	28	5.1	light	laborer
Jacques Debzet	St. Amand	55	5.4	ditto	shoemaker
Jacques Cary	Picardy	40	5.1½	ditto	able seaman
Jacques Vasseur	Candot	20	5.	black	weaver
Nicolas Francois Batalle	Busigny	20	5.	light	
Nicolas Moncel	Sommeville in Champagne	37	5.	ditto	able seaman
Nicolas Bileux	Anger-on-Saône	22	5.	ashy	life-saver
Andre Cabulot	Abbeville	23	5.5	chestnut	able seaman
Andre Lenoir	St. Amand	37	5.1	black	
Andre Mianez	Angers	20	5.3	light	laborer
Antoine Camus	Paris	41	5.	black	
Antoine Dusaussoir	Cury	38	5.	ditto	
Michel Tellier	Vervin	50	5.5	chestnut	brewer
Michel Treguenot	Plomion	47	5.	black	able seaman
Francois Condot	Eauteville	23	5.5	light	
Francois Botel	Ronsoy	17	4.9	black	
Francois Amand	Cuerieux	35	5.1	black	
Pierre Bouvard	Sologne	17	5.1	light	
Pierre Hypin, called Hubert	Chogueux	18	5.2	blond	laborer
Pierre Seillier	Chognet Bristet	40	5.5	ashy	flax-dresser
Pierre Connyot	Gremier	19	5.2	chestnut	
Louis Devochet, called Petitjean	Amiens	29	5.	black	
Louis Laloix	Berneuil	26	5.2	light	weaver
Louis Despagne	Rontoir	21	5.3	light	wooden
Thomas Bouclet	Geante	40	4.8	black	shoemaker
Urbain Caret	Ansilvieux	30	4.8	ditto	
Guillaume Dieu	Veunan	45	5.2	blond	able seaman
Germain Boulle	Comté	35	5.3	light	ditto
Nicolas Ouaillier	Irson	35	5.3	ditto	ditto
Roland Duru	Any	40	5.2	black	shoemaker

Names	*Place of Birth*	*Age*	*Height (ft. in.)*	*Hair*	*Trades*
Jeanne Letrillard, his wife..					
Antoine De Roy	St. Pierre	30	5.1	chestnut	
Jean Fresson	Irson in Thieras	36	5.3	light	
Jean Merle	Savoy	36	5.4	ditto	
Jean Trolet	Vilars l'Hopital	38	5.4	black	
Francois Court	Savoy	30	5.2	chestnut	
Antoine Trolet	Crunont	40	5.3	ditto	
Francois Bertin	Bourguenville	26	5.2	ditto	
Francois Hautois	Beneuil	38	5.4	black	weaver
Etienne Valet	Angers	32	5.3	ditto	
Jean Le Roy	Freret	21	5.3	light	

Vagabonds coming from Orleans

Jean Valencie	Combreu near Orleans.	29	5.	light	
Denis Brouere	Angerville	24	5.2	black	
Jacques Denis	Paris	40	4.6	blond	wigmaker
Benoist Dufeu	Toussien in Bresse	19	5.	black	
Louis Toussard	Blois	15	4.	chestnut	
Nicolas Touzet, called Richard	Versailles	18	5.1	ashy	baker

Ditto coming from Lyon

Francois Fouteur	St. Colombe in Dauphiné	39	5.3	chestnut	sailor
Marguerite Michon, his wife					
Etienne Falguet	Savoy	40	4.8	light	
Etienne Hodieu	Lyon	21	4.7	black	
Charles, called Metz	Lisle in Flanders	15	5.	blond	
Julien Descomptez	Lyon	45	5.4	light	paper-maker
Jean Riviere	Marty-on-Ance	50	5.	black	vine-dresser
Family children					
Jean Fouquet	Orleans	30	5.	black	
Pierre Maillard	Versailles	22	5.	light	joiner
Blancard, called St. Blaise, deserter	Toulon	29	5.1	chestnut	

Women and girls taken for fraud

Nicole Le Doux
Marie Auril
Marie Grillon
Jeanne Tacy
Louise Durand
Jeanne Lenfant
Marie Bordeau
Madeleine Brisson
Marie Michel
Marie Ceinturier
Francoise Bagnelot
Anne Namond
Francoise Ferret
Blanche Vigneron
Marie Jeanne Goguet
Marie Ficlou Herode
Marie Claire Annot
Marie Anne Grize
Francoise Fressin
Jeanne Arnandé

Women and girls coming from Rochefort by order of the Council

Marie Anne Porche	Orleans	30	
Jeanne Le Feure	Paris	38	
Marie La Fontaine	ditto	38	

Women and girls coming from Rochefort by order of the Council
(Continued)

Names	*Place of Birth*	*Age*	*Height* (ft. in.)	*Hair*	*Trades*
Catherine Haby	ditto	21			
Catherine Oudart	ditto	33			
Babet La Fleur	ditto	34			
Marie Louise Brunette, called Valentin	ditto	23			
Marie Paris	Orleans	30			
Marie Igonnet	Auvergne	22			
Marguerite Vallet	St. Quentin	25			
Marie Francoise de Coutelier, called Perty	Sens in Burgundy	18			
Tiennette Gennet	ditto	33			
Jeanne Vigneron	Langres	49			
Genevieve Chanuallon	Melun	30			
Marie Duclaud	Soissons	23			
Marie Jeanne d'Aigremont	Abbeville	21			

VII

On the ship "Le Marechal d'Estrées", sailed August 19, 1719

Officers

Le Sr. Courbette, Lieutenant of Infantry
Le Sr. Simarre, Ensign
Le Sr. Legendre, ditto
Le Sr. Habains, Officer in expectation
Le Sr. Duclos, ditto

Cadets

Les Sr. Chabert	Paris	22	4.8	black	
Antoine Frizon	ditto	14	4.5	chestnut	
Francois Gillot	ditto	13	4.5	ditto	

Soldiers

Jean Bte Mallet	Rouen	20	5.2	ditto	founder
Michel Micouin	Villedieu	24	4.8	ditto	goldsmith
Noel Perault	Paris, St. Paul	17	4.6	black	silk-worker
Claude Gaudray	Metz	48	5.	ditto	gardener
Ouerre Henault	Angers	29	5.	chestnut	upholsterer
Jean Bte. Charles Baillard	Amiens	17½	5.	ditto	
Nicolas Courbec	Trépagny-on-Vexin	39	5.	ditto	
Andre Martin	Chatillon in Bery	28	5.	ditto	tailor
Jean Bte. Hus	Eloye, Bishopric of Avranche	17	5.2	blond	
Francois Cadiou	Auray	17	4.8	black	
Hurbain Rochereau	Saumur	22	4.8	ditto	laborer

Names	*Place of Birth*	*Age*	*Height (ft. in.)*	*Hair*	*Trades*
Simon Nedelec	Landerneau in Brittany	24	5.	ditto	
Jean Hurault	Mélun in Brie	28	5.	brown	
Amedee Gaston Baillet	Brest	21	4.8	black	
Natalis Bertrand	Gerandan	29	5.	chestnut	gardener
Charles Robin	Légère in Marche	24	5.	ditto	
George Taluar	Dol in Brittany	18	5.4	ditto	
Francois Jolly	Nantes	28	4.6	black	
	Tobacco Smugglers				
Jean Claude LeCoint	Le Font, Franche Comté	15	4.1	brown	
Jacques Spegrand, called La Franchise	Quet in Dauphiné	36	5.1	chestnut	
Antoine Pussin	Lisle in Flanders	30	5.2	light	
Rene Chapon	Autun	18	4.5	black	
Pierre Maurin	Marsominge in Bresse	28	5.	ditto	
Nicolas Martel	Dijon	15	4.2	light	
Etienne Laporte	Bourg in Bresse	35	4.5	chestnut	
Pierre Comté	Lyon	26	5.3	light	maker of gold and silver cloth
Jacques Villet	Lyon	21	5.1	ditto	
Jacques Bertrand	St. Pierre of Mans	40	5.1	black	
Francois Bruneteau	Sables of Aonne	35	4.9	ditto	laborer
Jacques Vialet	Begorre	34	4.6	light	hemp-comber
Joachim Rossel	Beaumont	56	4.6	gray	
Pierre Paillard	Vestal	30	5.2	light	tailor
André Bouchet	La Botière	36	5.3	black	ditto
Michel Gaondet	Gamertre	35	5.	ditto	hemp-comber
Alexandre Corresux	Autragne	22	4.4	light	paper-maker
Jacques Biot	Begorre	55	4.6	black	
Joseph Raymond	Poilin	27	5.2	ditto	surgeon
Pierre Gay	Chaleau Roux	20	4.5	ditto	
Jean Payen	Granot	58	5.	ditto	
Pierre Carpentier	Poulerville	12	4.5	ditto	
Paul Fournier	St. Neux	12	4.5	blond	
Thomas Hyvalle	Corbey	10	4.3	ditto	
Paul Bardet	Vieux Rouin	30	5.	chestnut	
Jacques Rolland	Vubay in Artois	18	5.	ashy	
Jean Ouailly	Belquin in Artois	70	5.2	gray	
Jean Naudin	Paris	45	4.9	black	
Rennes Raquin, his wife					
Antoine Pacot	Dijon	35	4.9	black	
Francoise Pacot, his sister					
Barthelemy Berlemon	Port	42	5.6	ditto	
Marguerite Morice, his wife					
Margte. Berlemon, their child					
Jean Padot	Dain	18	4.6	ditto	
Denis Dalavier	Capin	17	4.6	ditto	
Louis Minard	Dauphin	15	4.6	blond	
Louis Danel	Daupin in Artois	16	5.2	light	
Paguette	Ferriere				
Pierre Launois	Remy	38	5.3	black	

Tobacco Smugglers—(Continued)

Names	*Place of Birth*	*Age*	*Height* (ft. in.)	*Hair*	*Trades*
Simon Lucas, called Lamontagne	Thomas, Normandy	50	5.	gray	cook
Antoine Derville, called Lacroix	Mantigny in Picardy	28	5.1	red	
Jean Delmaz	Dalby Cange, (Normandy)	40	5.	ashy	
Jean Durand	Landisatz in Normandy	34	5.2	black	
Marie Charpentier, his wife					
Blaise Cheminet	St. Agnal deux	40	5.	ditto	laborer
Henry Petit	Belame	50	5.1	light	mason
Denis Verdun	Châlon in Farne	40	5.1	chestnut	laborer
Joseph Vallet	Champlieux	30	5.1	ditto	ditto
Jacques Rivet	St. Nizier below Charlieux	24	5.2	ditto	ditto
Jean Ste. Forsine, called Romain	Rome	40	5.	black	tailor
Claude Anselme	Roma in Bresse	40	5.	light	laborer
Claude Darsin	Mont Louet	20	5.	chestnut	ditto
Philbert Gouard	Villefranche	19½	4.7	black	ditto
Jean Bte. Monet	Bourg St. Christophle	40	5.	ditto	ditto
Jean Nimond, called Granger	Pout in Beaujolais	29	5.	light	ditto
Claude Tiers	Port Anton in Dauphiné	35	4.8	black	ditto
Jean Pierre Lustier	Velin	28	4.8	ditto	ditto
Michel Dubois	St. Bonnet in Dauphiné	30	4.6	ditto	ditto
Jean Chanat	Autragne in Languedoc	24	5.1	ditto	ditto
Pierre Feratier	Jensinet Luchon	26	4.5	ditto	ditto
Francois Varenne	Valence	40	5.	ditto	ditto
Pierre Moulin	Ginodan	35	5.4	chestnut	ditto
Claude Rioux	Gennister	22	5.1	blond	ditto
Mathieu de Cour	St. Frod	35	4.5	black	ditto
Vidalle Brion	Retourno	35	5.2	ditto	ditto
Vincent Barnier	Chabrillan	25	4.6	ditto	ditto
Jean Gussis, called Philbert	Tellier	42	4.7	light	ditto
Philbert Baudot	St. Quin near Paris	42	4.8	black	ditto
Antoine Courtine					
Jean Lyonnard					

Dealers in contraband salt

Jullien Cretien	Lisle in Flanders	22	5.4	black	thatcher
Francoise Gaguet, his wife					
Adrien Prevost	Honnecourt	24	5.3	ditto	laborer
Charles Mariez	Jean Court	17	5.5	blond	ditto
Martin Montulet	Sousman Lemoine in Liège	36	5.5	black	nail-maker
Adrien Le Bay	Plomion	30	5.2	blond	laborer
Claude Mornon	La Roully	45	5.5	light	ditto
Mathias Ponchon	Licourt	35	4.8	black	ditto
Philippe Ouarnier	Izengerenelle	40	5.2	light	ditto
Victor Le Roy	Licourt	19	5.2	ditto	ditto

Names	*Place of Birth*	*Age*	*Height (ft. in.)*	*Hair*	*Trades*
Francois Moy	Izon in Bèry	36	5.2	black	ditto
Louis Vullier	St. Jean d'Angely	27	5.1	chestnut	mason
Claude Senechal	Couin	35	5.3	light	tailor
Elizabeth Collas, his wife					
Marie Jeanne, ditto, their child					

Vagabonds coming from Lyon

Francois Lafon	Sencier	33	5.3	chestnut	shoemaker
Jean Miquel	ditto	21	5.4	light	silkworker
Aime Pichon	Lyon	17	5.1	ditto	ditto
Jean Raymond	ditto	40	5.1	ditto	blacksmith
Jacques Seyby	ditto	16	4.3	black	shoemaker
Nicolas Radeau	ditto	40	5.2	light	
Pierre Courson	Bordeaux	17	5.2	ditto	buttonmaker
Family children					
Sebastien Moreau	Paris	20	5.1	blond	tailor
Charbonnier, called La Feuillade	ditto	28	5.3	light	surgeon
Jacques Deslande	Versailles	29	5.2	black	
Nicolas Regnault	Corbeille	30	5.2	ditto	
Francois Alot	Chartres in Besse	20	5.3	chestnut	
Jean Bte. Faiquy	Paris	20	5.	ashy	upholsterer

Exiled persons coming from Bayonne by order of M. de Berwick

Jean Le Clerc	Paris	27	5.	chestnut	
Thomas de Route	Tronne in Espagne	63	5.	black	
Antoine Beroude	ditto	60	5.½	ditto	
Antoine Glatigny	Plomion	25	5.1	black	pitsawyer
Nicolas Legrand	L'Écaille	26	5.	red	laborer
Jacques Rivet	Grigny	24	5.1	black	laborer
Nicolas Fauble	Picardy	38	5.2	light	tile-maker
Charles Boulanger	Vonyeville	30	5.	black	butcher
Jean Pierre, called Petitjean	Paris	20	4.7	ditto	mason
Martin Esloir	Troville	20	5.2	ashy	laborer
Pierre Aubert	Crisse	55	5.2	gray	mason
Gabriel Besoin, called Le Chat	Boussel near Pailly	44	5.	black	laborer
Jacques Vollet	La Chapelle Blanche	35	4.7	ditto	tile-maker

Deserters

Pierre Doet, called Granville	Callais	24	5.	chestnut	
Romain Roman, called St. Germain	Tour	26	5.2	ditto	
Jean Renault, called Sans Regret	Lyon	28	5.3	ditto	

Vagabonds coming from Orleans

Names	*Place of Birth*	*Age*	*Height* (ft. in.)	*Hair*	*Trades*
Nicolas Berenger	St. Laurent de Lin in Anjou	47	5.5	gray	
Martial Morin					
Claude Emanuel Batisier, called Dumenil	Paris	20	5.3	light	surgeon

Vagabonds coming from Rennes

Pierre Menoux	Sens	33	5.1	black
George Mercier	Valence	36	5.	ditto
Jean Fleury, his wife				
Jean Mercier, Madeleine Mercier, Jeanne Mercier } their children				

VIII

On the ship "The Duke de Noailles", sailed September 16, 1719

Concession of M. Dartaguiette

Le Srs. Babaqui, Sorvate, D'hospital, (and) Tessendier, surgeon
Pierre Degrat

Concession of Mr. Bail de Beaupré

Mr. Bail de Beaupré
Made. de Beaupré, his wife
Marie Marchand, chamber-maid
Anne, called Laport, ditto

Workmen

Jean Devigne
Jean Devigne, his wife
Pierre Devigne, Jean Devigne } their children
Nicolas Ansiot
Jacques Quertems
Jean Fosse
Jean Parabert
Jean Brevier
Nicolas Laveine
Mathieu Dorange
Antoine Langlois
Simon Montais
Marie Montais, his wife
Joseph Montais, Jacob Montais, Jeanne Montais } their children
Louis Le Mire
Michel Gambier
Jean Brunel
Gilles Haury

Private Passengers

Le Sr. Pinon — Tours
Marguerite Tout-douce

Officers

Le Sr. Caron, Captain of Infantry
Le Sr. Detcheparre, Lieutenant of Infantry
Le Sr. de Longueval, ditto
Le Sr. de Brassee, ditto
Le Sr. Courten, Sub-lieutenant
Le Sr. de Villecourt, ditto
Le Sr. Charreau, ditto
Le Sr. Chevalier Lambert, ditto
Le Sr. Duguartier, ensign
Le Sr. Franchomme, ditto
Le Sr. de St. Esteban, ditto

Cadets

Names	*Place of Birth*	*Age*	*Height* (ft. in.)	*Hair*	*Trades*
Le Srs. Claude Tilloy	Paris	21	5.	blond	
Claude Jordan	Valence	19	5.2	ditto	
Jean Bte. Malter	Paris	18	4.8	black	

Sergeant

Jacques La Roche	Châlons in Champagne.	43	4.8	ditto	tailor

Soldiers

Pierre Antoine Duflos	Tournay in Flanders	30	5.	brown	wig-maker
Guy Le Guerre	Carhaix in Brittany	24	5.4	black	
Claude Mercier	Paris	17	4.6	blond	tailor
Elzear Felix de Crèvecoeur	St. Omer	36	4.1	brown	
Luc Druet	Nancy	17	4.	blond	
Claude Roussel	Corby in Picardy	44	5.	chestnut	laborer
Francois Moreau	Chateau Signon in Ivernois	33	5.	black	silk-worker
Francois Billecault	Auxerre in Burgundy	37	5.2	ditto	surgeon
Jacques Gouet	Clermont in Auvergne.	26	5.2	chestnut	weaver
Rene du Rocher	Poitiers	16	4.8	black	wig-maker
Florent Lemoine	Saumur	18	4.10	ditto	ditto
Charles Duval	Villedieu l'Espoil, Basse Normandy	24	5.	chestnut	surgeon
Agatte Ange Perdon	Saumur	45	5.2	blond	ditto
Francois Maingueneau	Paris	21	5.	brown	
Jean Maillard	Brest	22	5.	chestnut	
Jean La Marzelle	Libourne	40	5.	black	wig-maker
Nicolas Brau	Nevers	26	5.2	ditto	farrier
Denis Gouet engaged by the Company					butcher
Pierre Voysin engaged by the Company	Paris				pavier
Pierre Betuchet engaged by the Company		17	5.	ditto	
Francois Dubois					
Louis Ozanne					
Jean Dupré					
Jean Francois Frementier	Rennes	45	5.2	blond	
Etienne Le Roy	La Flèche in Anjou	30	5.2	black	joiner

Dealers in contraband salt

Names	*Place of Birth*	*Age*	*Height* (ft. in.)	*Hair*	*Trades*
Jean Brunet	Angers-on-Saône	19	5.	light	miller
Charles Calet	Vergon	35	5.	brown	miller
Francois Girault, called Bonnemar	Rilly	30	5.	black	vine-dresser
Rene Linger	Martizet	45	5.1	chestnut	edge-tool-maker
Jacques Gentil	ditto	41	5.1	black	laborer
Louis Perin	Neont in Poitou	42	5.1	ditto	ditto
Alexis Dujardin	Bagnolet	21	5.1	light	gardener
Guillaume Chapelle	Ste. Marie du Bois	48	5.7	black	laborer
Pierre Malsieu	Charbont	42	5.	ashy	sailor
Louis de Roche	Neuilly in Normandy	26	5.1	chestnut	laborer
Claude Ridel	Paris	33	5.5	black	joiner
Jean Trocour	Amiens	40	5.4	ditto	weaver
Joseph Deschamps, called La Roze	Lambry	45	5.3	ditto	rope-maker
Claudine Guenée, his wife					
Claude Glaine	Roman in Dauphiné	24	5.2	light	carpenter
Jean Dupré	Senerpon	13	4.	ashy	shoe-maker
Louis Nicolas Famechon	Dingue	15	4.	blond	
Louis Massuel	Hotion	30	5.3	chestnut	puppet-maker (?)
Jacques Bouchet	La Selle in Tourenne	45	5.1	gray	laborer
Francois Dauphin	Neont in Poitou	32	5.	black	
Nicolas Pallier	Sere in Tourenne	45	5.	chestnut	
Francois Baudet, called Bastillon	La Chapelle Blanche	48	5.1	gray	
Louis Blanchard	Arleu	15	4.	ashy	
Adrien Verdure	Cette Outre	50	5.	ashy	
Jean Gottefrin	ditto	55	5.	gray	
Louis Assay, called Manchet	Montrichard in Tourenne	50	5.	black	laborer
Pierre Aubert	Crisse	55	5.2	black	mason
Vincent Froger, called Pied-de-Chat	Marsilly	38	5.	black	
Jean Demarty	City of Landousy	43	5.1	ditto	weaver
Louis Blochet	Verluy	33	5.3	chestnut	
Jean Ste. Tringuar	Caneillan	15	4.8	light	
Thomas Dupré	Senerpon	14	5.	black	shoe-maker
Thomas Ansau	ditto	40	5.	ditto	
Bernard, called Van	Paris	17	5.1	chestnut	turner
Antoine Alard	Montreuil	20	4.9	black	
George Tesson	Tombière in Gennevois	34	5.	chestnut	
Jacques Lambert	St. Neulisse in Savoy	24	5.	black	
Jacques Noiron	Barentin on Seine	38	4.½	ditto	
Michel Pinchard	Rinsart	32	5.5	light	carter
Jean Demarty	Sury-on-Oise	35	5.2	ditto	weaver
Philippe Lehaut, called St. Olive	Corby	30	5.1	ditto	
Jean Dauvin	Neuilly	37	5.2	black	weaver
Jean Ste. Nottard, called Montal	Paris	31	5.2	light	joiner
Marie Durisse, his wife					
Francois Couttant	Tiviers	38	5.3	black	able seaman

Tobacco Smugglers

Names	*Place of Birth*	*Age*	*Height* (ft. in.)	*Hair*	*Trades*
Etienne Malezieux	Dampierre in Champagne	40	4.5	chestnut	laborer
Nicolas D'Estel	Metz	24	5.	light	baker
Jean Collain	Coublanc	30	5.4	ditto	rope-maker
Jean Biat	Elbet	28	4.6	black	copper-smith
Marie Vasseur, his wife					
Pierre Cussin	Sarmelieux	33	5.1	ditto	vine-dresser
Jeanne Fremy, his wife					
Claude Nicolas Cussin, their child					
Pierre Passerat	St. Arban	36	5.2	ditto	gardener
Louis Guemel	Verton	18	4.6	light	mason
Jean Gottard	St. Genis Lavar in Lyonnais	27	5.	black	weaver
Ennemond Berson	Lyon	50	4.5	light	laborer
Pierre Maurix	Marsonning in Bresse.	50	5.	black	
Joseph Joumas	Ventadour road	58	5.3	ditto	baker
Francois Cheron					
Laurent Ferrand					
Louis Roussel	Chalaindray	15	4.2	chestnut	laborer
Benoist Etienne Veillon	St. Arban	47	5.1	gray	ditto
Claude Dutartre	Dermois, Franche Comté	25	5.1	light	joiner
Jean Soubaygné					
Catherine Detrouillet, his wife					
Catherine Soubaygné, Anne Soubaygné	their children				
Claude Bernard, called Chambery					
Marie Giraude, his wife					
Francois Berthelot, called Marais	Talent	48	4.8	black	able seaman
Joseph Raffin	Cursia in Bresse	40	5.6	chestnut	miller
Antoine Fleury	Bourg in Bresse	32	5.6	ditto	
Catherine Fenerolle, wife of Damel					

Vagabonds taken at Orleans

Silvain Thomas	Meule	35	4.7	black	laborer
Pierre Fausset	Sussy in Béry	23	4.7	ditto	ditto
Michel Branchet	St. Benoist-on-Loire	54	5.2	gray	ditto
Andre Pepin	La Trinite in Normandy	25	5.	black	ditto
Rene Jean	Paris	52	5.	gray	gold-smith
Marguerite Pepie, his wife					
Pierre Barbier	St. Germain Lavelle	19	5.2	chestnut	

Deserters coming from Bayonne by order of M. the Marshall of Berwick

Nicolas Girard
Joachim La Rogue

Exiled Women

Francoise Gaffer
Marie Hardy

Copy of the Lists of passengers for Louisiana who have been embarked at La Rochelle since July 1, 1719.

Done at La Rochelle, April 11, 1720.

LESTOBEC

(To be continued.)

INVENTORY OF THE PARIS DUVERNAY CONCESSION IN LOUISIANA, 1726

Edited by WALTER PRICHARD

INTRODUCTION

When the Western Company, organized by John Law in 1717 for the purpose of exploiting and developing the resources of French Louisiana, took possession of the colony in the following year some fifteen large land grants were made to influential and enterprising persons in France, who would undertake to establish agricultural settlements on the fertile lands bordering the Mississippi and other streams in the lower part of the colony. One of these grants, located in the country of the Bayagoula Indians opposite the point where the Bayou Manchac leaves the Mississippi, was assigned to Paris Duvernay.[1] The proprietor of such a grant or concession usually remained in France, and the development and management of his Louisiana property was entrusted to a director or administrator resident in the colony. The director, however, did not necessarily reside on the concession, but often entrusted the actual management to a resident steward or overseer. Such appears to have been the arrangement in the case of the Paris Duvernay grant.

Joseph Paris, called Duverney, or Paris-Duverney (spelled in the document "Duvernay"), the owner of the Louisiana concession under consideration, was the third in age, the most eminent, and the last survivor of the four Paris brothers, famous French financiers of the eighteenth century. The other three brothers were Antoine, Claude and Jean Paris. Joseph Paris-Duverney was born in 1684 and died in 1770, at the ripe old age of 86 years. His life thus spans the entire period of French domination in Louisiana. The Paris brothers were born in a French province and appear to have laid the foundation of their later immense fortune by profits made from army contracts during the latter years of the reign of Louis XIV. Prior to the death of that monarch in 1715, and the beginning of the regency of the Duke of Orleans, they had trans-

[1] Henry E. Chambers, *History of Louisiana*, I, 115.

ferred the seat of their operations to Paris and appear to have held a commanding position in the financial affairs of all France.[2]

The rise of John Law to prominence in French financial circles, with the establishment of his Bank, doubtless interfered seriously with the financial position formerly held by the Paris brothers. A conflict of interests certainly ensued. But the success of John Law's schemes depended upon his ability to win the support of all leading French financiers. The means used by Law in winning over the Paris brothers is unknown, but on August 2, 1718, Paris Duverney was appointed a director of the Company of the West, of which Law was the head.[3] However, differences of opinion as to the management of the affairs of the Company must have arisen within the next few months, for on January 27, 1719, a royal decree was issued relieving Paris Duvernay and certain others of their duties as directors of the Company of the West.[4] The break between Law and the Paris brothers appears to date from this incident. The Paris brothers seem to have been advocates of a sound financial system, which was exactly the opposite to Law's paper money and inflation scheme. Paris Duverney sent to the regent a memoir violently attacking Law's system. But Law used his powerful influence to have the four Paris brothers exiled from Paris to the province of Dauphiné, in July, 1720. However, after Law's schemes failed with a terrible crash some six months later, the brothers returned to Paris and used their ability and knowledge to salvage something from the wreck of Law's system. They regained their former position in French financial affairs, which they appear to have retained until the death of Joseph Paris-Duverney in 1770.[5] Such, in brief, is the sketch of the position of the holder of the Louisiana concession under consideration, and of his connection with John Law's schemes in general. We shall now return to his Louisiana concession.

Paris Duverney must have received his Louisiana concession in the year 1718, either prior to or during his period of service as a director of the Company of the West, but he appears to have made no immediate attempt to develop it. However, on September 15, 1721, the Company of the Indies (successor to the Company of the West) issued an order for supplying Dubuisson food and merchandise for his Louisiana plantation to the amount of 12,000 livres,

[2] Pierre Larousse, ed., *Grand Dictionnaire Universel du XIXe Siecle*, XII, 290-291.
[3] N. M. Miller Surrey, ed., *Calendar of Manuscripts in the Paris Archives and Libraries Relating to the History of the Mississippi Valley to 1803* (Carnegie Institution of Washington, Department of Historical Research, 2 vols., 1926), I, 290.
[4] *Ibid.*, I, 299.
[5] Larousse, *op. cit.*, XII, 291.

colonial prices.[6] This order must have applied to the Duvernay grant, which is referred to in the inventory as the "LeBuisson" concession. The next information available on the history of this grant is an order of the Company of the Indies issued to the Council of Louisiana on March 27, 1724, for the delivery of fifty negroes, from the first slave-ship arriving in the colony, to Paris Duverney.[7] This was a part of Duverney's plan for developing his grant, but there is no record that the fifty slaves were ever delivered. Later in the same year Duverney sent to his Louisiana concession a considerable number of French laborers, who came on the ship *Gironde,* which sailed from Lorient for New Orleans on September 30, 1724.[8] On the same ship also came Pierre Louis Cavalier de Verteuil, as director and administrator of the Paris Duverney grant, in which he had acquired a partnership.[9]

The *Gironde* landed its passengers in New Orleans in due time. The workmen destined for the Duverney concession appear to have been sent on to their final destination, while De Verteuil, the new director of the grant, remained in New Orleans. He assumed his new duties early in December, 1724, but the actual management of the grant was in the hands of Francois DuBuisson de Montferrier—apparently the "DuBuisson" previously mentioned—who held the position of steward, storekeeper, warehouse guard and treasurer-in-chief of the Paris Duverney grant.[10]

De Verteuil appears to have been of a very irascible and contentious disposition, for he soon became involved in disputes with most of the individuals connected with the Paris Duverney grant. Some of the workmen on the grant went to New Orleans to demand from De Verteuil needed supplies which he was charged with withholding, and their stipulated wages which he had failed to pay. When they were unable to get satisfaction of their demands from him, they brought suit before the Superior Council. De Verteuil denied the charges of the workmen and brought a counter suit, charging them with having attempted to desert when the ship bringing them to the colony touched at Santo Domingo. A long litigation followed, in which the Superior Council decided against De Verteuil.[11]

De Verteuil and Dubuisson were soon engaged in a controversy as to the respective authority of each in the management of the

[6] Surrey, *op. cit.*, I, 382.
[7] *Ibid.*, I, 421.
[8] *Ibid.*, I, 428.
[9] *Louisiana Historical Quarterly*, II, 111.
[10] *Ibid.*, II, 111; III, 143, 149.
[11] *Ibid.*, II, 465, 468, 469, 470, 472, 479, 480, 481; III, 403, 404, 406, 446; IV, 331.

Paris Duverney grant. The controversy was brought before the Superior Council of Louisiana early in May, 1725,[12] and the case was decided in favor of Dubuisson on January 15, 1726.[13] This decision appears to have enraged DeVerteuil. He and his wife made a visit to the concession in February, 1726, and when Dubuisson demanded written orders from DeVerteuil, both the latter and his wife assaulted Dubuisson. DeVerteuil forcibly entered the warehouse on the grant and threatened to take an inventory. Dubuisson filed assault charges before the Superior Council against DeVerteuil and won his suit.[14] The inventory under consideration appears to have resulted from this difficulty between DeVerteuil and Dubuisson.

De Verteuil also had an altercation with Edouard de Sanson, the surgeon on the Duverney grant, whom he was accused of assaulting and threatening with further chastisement. The surgeon took his case before the Superior Council, demanding his wages, release from his contract, and damages against DeVerteuil. After considerable litigation, de Sanson won his suit. But in order to collect the sum awarded him by the Council, it was necessary for the surgeon to bring attachment proceedings against the personal effects of both DeVerteuil and his wife; and a considerable time elapsed before the surgeon was able to bring DeVerteuil to make a final settlement of his claims.[15]

The numerous controversies and litigations in which DeVerteuil became involved appear to have led to his deposition as director of the Duverney grant, early in 1727, and the appointment of Claude Trenaunnay de Chanfret, later for many years Commandant at Pointe Coupée, as his successor. Chanfret was not on the ground, and Arnaud Bonnaud became acting director of the grant until the arrival of the new director. Bonnaud, a brother-in-law of Francois Dubuisson de Montferrier, with whom DeVerteuil had been engaged in litigation, had been commissioned as storekeeper and cashier for the Company of the West at New Orleans on October 1, 1717, and again on March 14, 1718. But he had been removed from that position on November 11, 1718, because he had engaged in private trade in Louisiana.[16]

Dubuisson appears to have remained on the grant as steward, and the relationship between him and Bonnaud would indicate that

[12] *Ibid.*, II, 331.
[13] *Ibid.*, III, 143.
[14] *Ibid.*, III, 147-149, 421.
[15] *Ibid.*, III, 419, 420, 426, 431, 436-437, 438, 442, 443, 446.
[16] *Ibid.*, III, 440; Surrey, *op. cit.*, I, 268, 281, 294.

they were on friendly terms. But DeVerteuil proceeded to get into disputes with Bonnaud, the acting director of the concession, over the management and accounts of the grant, though DeVerteuil had previously been deposed from the directorship of the grant and had no legal authority to interfere with its affairs. The dispute was taken before the court, and resulted in the sheriff ordering DeVerteuil to cease attempting to control the affairs of the grant.[17] Bonnaud accused DeVerteuil of diverting some of the property of the Duverney grant to his own use, and of withholding this from the inventory. DeVerteuil was haled into court, his trunks examined, and a part of their contents seized until he rendered a final account of his administration of the grant. He was even compelled to give security in order to recover possession of his and his wife's personal effects.[18] DeVerteuil was slow in rendering a final accounting of his administration of the Duverney grant, and court action was necessary to force him to render an accounting of his directorship.[19] While he was involved in these litigations, others who had claims against DeVerteuil brought suit against him to force settlement of their claims.[20] These proceedings against DeVerteuil were extremely irritating to him, since they kept him in Louisiana long after he had planned to depart for France.

After Claude Trenaunnay de Chanfret arrived and took over the direction of the Duverney concession, he in turn had difficulty in forcing Bonnaud to render a satisfactory accounting of the affairs of the grant during Bonnaud's service as acting director.[21] DeVerteuil had not yet rendered a final accounting of his directorship of the Duverney grant, and Chanfret brought legal proceedings against him to force him to make a final settlement of his accounts. DeVerteuil claimed that Dubuisson's accounts were in a confused and unsettled condition, and used this as an excuse for his own delay in rendering his final account.[22] DeVerteuil and Dubuisson's accounts of their administrations of the Duverney concession were necessary in order to enable Chanfret to render a satisfactory accounting of his own administration. This confused situation in regard to the affairs of the Duverney concession brought on additional prolonged and tedious litigation in the courts, which dragged out until 1731.[23]

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[17] *Louisiana Historical Quarterly*, III, 440, 441, 442.
[18] *Ibid.*, III, 442, 443, 444, 445.
[19] *Ibid.*, III, 445, 446; IV, 220, 221, 222.
[20] *Ibid.*, IV, 228.
[21] *Ibid.*, IV, 235, 236.
[22] *Ibid.*, IV, 247, 481, 482, 492, 495.
[23] *Ibid.*, V, 77, 80, 81, 83, 84, 88, 89, 95, 105, 109, 110, 112-113, 114, 115.

It appears impossible to determine just what became of all the parties to these controversies regarding the management of Paris Duverney's Louisiana concession. DuVerteuil apparently returned to France as soon as the courts would permit his departure from the colony. Claude Trenaunnay de Chanfret, as mentioned above, later served for many years as French Commandant at Pointe Coupée. The sources available reveal nothing of the later career of Bonnaud. On November 28, 1725, a commission was issued to a certain "Dubuisson" as a clerk in Louisiana.[24] This may have been the Francois Dubuisson de Montferrier, as this was several months after his altercation with DeVerteuil over the management of the Duverney concession. However, there were other Dubuisson's figuring in Louisiana history at that date. One "Dubuisson" was killed by Bernaudet in a duel in Louisiana in 1729, and the killer was pardoned in 1731.[25] This may have been the Dubuisson concerned in the controversy over the management of the Paris Duverney grant, for Estienne Dubuisson is reported to have died in New Orleans in September, 1731.[26] Since the individual killed in the duel is mentioned in the available records only as "Dubuisson", it is impossible to determine whether he was the Francois Dubuisson de Montferrier of the Duverney concession controversy. There is some evidence which appears to sustain the view that Etienne Dubuisson was responsible for the claims against Francois Dubuisson de Montferrier after 1729;[27] but there is also other available evidence which seems to prove that Francois Dubuisson de Montferrier was still alive in 1731.[28] The logical conclusion would seem to be that the Dubuisson family had an interest in the Duverney grant, and that the surviving members of that family succeeded to the interests and became legally responsible for the claims against deceased members of the family.

Daurien de la Garde, who was a partner of Dubuisson in the affairs of the Paris Duverney concession, is drawn into the controversy over the settlement of the accounts of Claude Trenaunnay de Chanfret in 1731.[29] This and other disputes regarding the affairs of the concession were carried to the French courts and were not finally disposed of until 1741.[30]

In spite of all these controversies, Paris Duverney appears to have persevered in attempting to develop his Louisiana property.

[24] Surrey, *op. cit.*, I, 445.
[25] *Ibid.*, I, 501, 546, 551, 553.
[26] *Ibid.*, I, 597, 629.
[27] *Louisiana Historical Quarterly*, V, 83, 84, 88, 89, 95.
[28] *Ibid.*, V, 109.
[29] *Ibid.*, V, 112-113, 114, 115.
[30] Surrey, *op. cit.*, I, 826; II, 943, 944.

He must have used his influence with the French government for this purpose, for an order was issued on September 13, 1736, permitting shipments of farm products on the King's vessels in order to aid the manager for Paris Duverney's Louisiana plantation.[31] In 1737 there is mention of irregularities in the management of the Louisiana plantations of Paris Duverney and three other concessionnaires, and on September 16, 1737, the French Minister of Marine transmitted to Duverney the reply of Salmon and Bienville to his inquiry about his plantation in Louisiana.[32] It seems impossible to determine just how long Paris Duverney retained possession of his Louisiana concession, or whether he ever derived any profits from the grant.

It appears to have been customary to make an inventory of the effects on the Paris Duverney concession annually, in the spring of the year,[33] but the one under consideration seems to have been an extra one, growing out of the dispute between DeVerteuil and Dubuisson over the management of the grant. The original of the inventory of March 8, 1726, is the property of the Louisiana State University. The translation printed below was made by Messrs. Hoguet A. Major, Associate Professor of French, and Wyatt A. Pickens, Associate Professor of Spanish, both of the Louisiana State University faculty. The inventory affords an interesting description of the buildings on the concession, together with a list of the livestock, slaves, kitchen utensils, household goods, supplies, and plantation equipment, which may be considered as typical of the usual plantation in Louisiana at that early period.

Translation of the Inventory

March 8, 1726.

Inventory
P.D.
P. Duvernay
(2359)
No. 729.

Inventory of the buildings, furnishings, merchandise, utensils, slaves, animals and other effects which are in the Concession of Monsieur Paris Duvernay and located at the

[31] *Ibid.*, I, 754.
[32] *Ibid.*, I, 793, 808.
[33] *Louisiana Historical Quarterly*, IV, 495.

Bayagoulas, made by M. Cavalier Deverteuil, director and administrator of said concession in the presence of the undersigned, who, at the request of the aforementioned Deverteuil, have appraised and valued the things contained therein as follows.

First, The Concession called Le Buisson ancient village of the Bayagoulas of 4 square leagues containing about seventy arpents cleared and which are at present planted in rice, potatoes, etc. on which cleared land are standing the following buildings and sheds, namely:

A Kitchen beneath a platform on which was formerly a frame house which has been burned, which Kitchen, built at ground level, is enclosed with cypress boards and floored and has a mud-wall partition which forms two small rooms. The Kitchen is thirty feet long by twenty wide, and at the north end is a shed fourteen by twenty feet built of posts driven into the ground and enclosed with mud walls which is used as a garbage dump and scullery, all being covered with bark and in a rather bad condition needing repairs,

(2360)

A bakery 18 feet in length by 15 in width with an outside oven, the whole covered with bark and mud, in bad condition,

A dove-cote or pigeon house twelve feet square, mud-walled and covered with bark with the floor ten feet high, the lower part serving as a storeroom, falling in ruins.

A barn 45 feet long covered with bark, two-thirds of the lower part floored and mud-walled, with the posts driven into the ground, of little value,

A negro cabin with cypress posts squared on two sides covered with palmettos and with mud walls, 30 feet long by 18 wide,

A building 25 feet long by eighteen wide composed of one large room and three small rooms, covered with bark and without a floor, in bad condition,

An *idem* serving as a forge with posts in earth about 15 feet long by twelve wide covered partly with bark and the rest with palmetto in very bad condition enclosed with mud walls,

A stable thirty-two feet long by 20 wide with cypress posts in thc ground, covered with palmetto, in bad condition,

(2361)

A Shed with partition in the middle, built of cypress and covered with bark, in bad condition,

An *idem* of cypress, 20 feet long by 15 wide, covered with palmetto, with the posts in the ground,

A hog lot, one hundred paces square enclosed with cypress stakes, having 4 pens within built of same and covered with bark, all in bad condition,

About 5000 cypress stakes for enclosures and fencing of fields in bad condition or to be renewed completely,

Which land with the cleared fields, buildings, and sheds above mentioned have been appraised and valued in their present condition at the sum of eight thousand livres, with regard to the present situation of the colony 8000

Negroes and Negresses

Six negro men and eleven negresses valued at the sum of seventeen thousand livres 17000

25000

(2362)

Carried over 25000

One Indian slave about 18 years old valued at five hundred livres 500

Animals

Two large horses and three mares in working condition valued at one thousand livres 1000

Two male and two female colts from six months to two years of age, all valued at three hundred and fifty livres 350

Cattle

One bull about five years old and two oxen about three years old, all valued at eight hundred livres 800

Four cows, three with their calves, all valued at twelve hundred livres 1200

Two heifers about two years old and one calf one year old, all valued at four hundred livres 400

Hogs

One sow about two years old and four young pigs male and female about four months old, all valued at one hundred livres 100

Poultry

Fifty head of poultry, cocks and hens, and two turkeys,

29350

(2363)

Carried over 29350

male and female, and ten ducks, male and female, valued at seventy livres 70

In the Kitchen

Twelve dishes, large and small, of pewter, one unserviceable and the others in bad condition, being in need of repair

Two soup bowls ditto, one being unusable
Three dozen plates, ditto, needing repair
Two small dishes and thirteen plates, ditto
One pitcher, unusable
Two andirons of iron
Two pot-hooks, ditto
One iron bar sealed in the fireplace, supporting the said pot-hooks
Two frying pans
Two iron pots, one lacking its lid
One fire shovel, ditto
One pair of tongs, ditto
Two coffee pots of copper, one unusable
Two stewpans, ditto
Four pots, ditto
Two basins for pulling silk, ditto
Four ladles, ditto
One Kitchen spoon, ditto
One ditto, of iron

29420

(2364)

Carried forward 29420

One spoon for basting meat
Three large kettles of copper, one out of use
One stew pan, ditto, with 3 iron legs
One warming pan
Two candle-holders of brass
One pair of snuffers with case, of copper
One candle-stick of yellow copper
One skillet of red copper
One pie pan with cover of red copper
One lamp, ditto
One fish kettle, lacking a cover
One candlestick
Two buckets, with iron hoops
One pepper mill
One kitchen curling-iron (frisoir)

One cupboard fitted with cloth
One kitchen knife
One hook, for hanging meat
Two large kitchen tables, of wood
Two benches, ditto
Two iron roasting tripods
One butter bucket, with iron hoops
Six large earthen jars for milk
One earthen kitchen pot
Three cheese molds

29420

(2365)

Brought forward 29420

One wash tub with iron hoops
All of which articles above described numbering 45 items, almost all being quite old and out of service, have all been appraised and valued at the sum of four hundred and fifty livres 450

Clothing

Six store sheets, quite worn
Six coarse homemade sheets
Four handworked table-cloths
Twelve plain coarse table-cloths
Twenty-one napkins, handworked
Five towels
All of the household linen here included has been appraised and valued at the sum of two hundred eighty livres 280

In the Store-room Under the Pigeon House

One large brass pot with lid
Thirty-five pounds of gun powder
One large trough
Six earthen bowls
Which effects found in the small storeroom under the pigeon house have been valued at one hundred twenty livres 120

30270

(2366)

Brought forward 30270

In the Shed Attached to the Kitchen

Six barrels of flour
One barrel ditto, half empty
One sack containing about 80 pounds of tallow

One cabinet containing five flagons of which two are full of olive oil, the others empty
One keg of brandy, full
One ditto, half full
Three empty kegs
One quarter of salt which lacks four (measures)
One barrel of spoiled beans, one fourth empty
One earthen jar containing about 4 pounds of raw sugar and one small jar containing about 4 pounds of white sugar
One barrel containing buckwheat
Two rolls of lead weighing 300 pounds
One sack containing about 8 pounds of prunes
One crowbar and one horn of shot
One small iron hammer
One hatchet
One pair of scales with two pounds of lead weights
One saw, bad condition
One empty oil jug
All of which effects found in the shed adjoining the Kitchen consisting of 20 articles have been appraised and valued at the sum of six hundred and seventy-two livres.... 672

30942

(2367)

Brought forward 30942

In the Barn

Two barrels of beans
Three barrels, or thereabout, of oats
One hundred barrels, or thereabout, of rice } estimated
Fifty barrels of corn shelled }
One hundred fifty barrels of corn in the shuck
One quarter and a half of indigo seed, unbeaten
Two horse collars with straps
Ten barrels of potatoes
All of which provisions and utensils have been appraised and valued at two thousand livres..... 2000

In the Old Chicken House

Eighteen new pickaxes (or hoes)
Four ditto, old
Twenty-one axes
Eleven hatchets
One plough coulter
One double pickaxe
One wheelbarrow
Two large knives
Six old iron shovels

Two small mason's hammers
One old blacksmith's file
Seven files
Two pieces of iron
One anvil for beating scythes
Two rolls of iron wire, unusable
Three old scythes
Two old andirons

32492

(2368)

Brought forward 32942

Continuation in the Chicken House

Sixteen old bayonets
Twenty-five pounds of steel, in small squares
One old cooper's hammer
Three old ploughshares
One small screw die
One blacksmith's apron
Two old iron rakes
Three steel bars
Nine hinges
Two strap-hinges
One iron rake for the oven
One old steel-trap
Quantities of iron, unusable, resulting from the burning of the house
All of which effects found in the old chicken house consisting of thirty-five articles have been appraised and valued, since almost all are unserviceable, at two hundred thirty livres 230

In a small room adjoining that one where Mr. Dubuisson, Junior, slept, in the house of Mr. Martin

One full quart of Bordeaux Wine
One keg, one flagon and eleven bottles containing about twelve "pot-de-vins"
One barrel of raw sugar one-third empty and one sack, the whole weighing 210 pounds

33172

(2369)

Brought forward 33172

Continuation of the little room

One sack of hunting shot, 27 pounds weight
One sack of lead bullets weighing 24 pounds

One ditto in which were put the lead bullets which were in a small tub, weighing 19 pounds

One pair of copper scales with 27 pounds of iron and lead weights

Two small locks, unusable

Two bolt locks

One chain

One locked cabinet to which Mr. Dubuisson the younger has the key and which has not been opened

Several pieces of iron, unserviceable, which were in the fire

All of which effects found in the small room adjoining the one occupied by the said Dubuisson, consisting of twelve articles have been appraised and valued at three hundred livres 300

In the room of the aforesaid Mr. Dubuisson in the house of Mr. Martin

One remnant of packing cloth containing eighteen and one-half ells

One small barrel one-fourth full of gun-powder

Two pounds of Vermillion

Three pounds of beads

All of which effects in the room of the aforesaid Mr. Dubuisson

33472

(2370)

Brought forward 33472

consisting of four articles have been appraised and valued at six-ty-five livres 65

In the Attic of the abovementioned house the following, likewise belonging to the Concession, has been found

Three pieces of packing cloth containing in all two hundred eighty-seven ells

Four pieces of coarse woolen cloth containing together with its wrapping two hundred sixty-nine ells

One box of soap wrapped and stacked weighing one hundred fifty-five pounds

Twenty-one iron pots

One piece of two-inch tarred rope weighing seventy pounds

One box containing nine coats or liveried jackets very much worn

Fifteen barrels, or thereabout, of unthreshed rice

All of which effects found in the attic of the aforesaid Mr. Martin consisting of 7 articles have been appraised and valued at fifteen hundred fifty livres 1550

35087

(2371)

Brought forward 35087

Additional effects found on said Concession

Eighteen thousand bricks made on the Concession
One cart with iron-rimmed wheels
Two horse collars with their traces two-thirds worn out
One plough with ploughshare, in bad condition
All of which effects are appraised and valued at four hundred fifty livres 450

In the Forge

One new anvil
One anvil, out of use
One beaked anvil
One large bellows } unusable
One small ditto }
Two vises, one large, one small
One hand vise
One small riveting vise
Eight files, large and small
Two stocks, one equipped with the die
One nail cutter, for making cart nails
Five pairs of tongs, large and small
One round punch
One hundred fifty-two pounds of new iron, flat and square
Seventy-six pounds of bar iron

35537

(2372)

Brought forward 35537

Continuation of the forge

One square punch
All of which effects found in the forge consisting of eight articles have been appraised and valued at five hundred livres 500

36037

The valuation of the contents of the present inventory which has been made by Messrs. Massy and Raguet amount-

ing to the sum of thirty-six thousand thirty-seven livres in money and specie of the country, which they have appraised and valued with respect to the present time and to the value and nature of the articles and effects and to the present situation of the colony. Done at the Bayagoulas this March 8, 1726.

Signed: Massy, Raguet

Addition to the present inventory by omission

Amount brought forward	36037
Eight negro children, four male and four female, from one to four years of age estimated; all sixteen hundred livres	1600
	37637

The whole amounting to the sum of thirty-seven thousand six hundred thirty-seven livres. Signed: Deverteuil, Massy, Raguet.

The copy in the original is at hand in which inventory the Company does not wish to acquiesce.

Delagarde

LEASE OF A LOUISIANA PLANTATION AND SLAVES, 1727

Edited by WALTER PRICHARD

INTRODUCTION

The document printed below affords a good illustration of the terms upon which a plantation and slaves were leased in the early days of the French regime in Louisiana. The property involved in this transaction belonged to a succession, and in order to assure proper protection of the interests of the absent heirs the permission of the Superior Council was necessary before the proposed lease could be adjudicated to the highest bidder. The reasons for desiring to make a new lease of the property, as well as the detailed conditions under which the proposed lease is to be made, are set forth for the information of the Superior Council. After considering the proposal in this form, the Council orders the lease to be made in accordance with the proposed terms, since that procedure was conceded to be to the best interest of the absent heirs. The conditions under which it was proposed to make the lease reveal several items of interest in regard to the obligations of the lessee, such as clearing additional land, keeping all existing buildings on the property in good repair, construction and maintenance of the levee and drainage system, and the proper care and treatment of the slaves attached to the plantation. These terms may be considered as common to all such leases of Louisiana plantations in that period.

The original French document is in the Library of the Louisiana State University, and the translation printed below was made by Professors Hoguet A. Major and Wyatt A. Pickens, of the Department of Romance Languages, Louisiana State University.

TRANSLATION OF THE DOCUMENT

January 18, 1727. No. 226

Ordinance for the adjudication of the lease of the plantation of the Pailloux succession.

To the Members of the Superior Council of Louisiana.

Mr. Delachaise, commissioner of the King and First Counsellor of His Majesty before the Superior Council of this Province, representing and acting for the heirs of the deceased Sieur Pailloux, Major Gen-

eral of this Colony, (states) that on May 22, 1724, the said deceased Pailloux leased to Sieur Hugot his plantation which is opposite this city along with seven negroes and five negresses and three negro children who were thereon, for three years beginning June 1 of said year, for the sum of 300 piastres for the 3 years in Spanish money which were paid cash at the time of taking possession of the said leasehold.

By that Lease Sieur Hugot has obligated himself to keep up said plantation in value and to clear up as much land as he can, likewise to feed and clothe the slaves who will be held at the risk of Mr. Pailloux, it being considered that Mr. Hugot will not overwork them, because in that case he (Hugot) would be responsible for them; moreover, he (Hugot) is obligated to leave, at the end of his lease, six barrels of rice planted and sixteen barrels of wheat and rice for the maintenance of said negroes.

Since the making of this lease Sieur Hugot has died; his widow married Sieur Delagoublaye. Sieur Pailloux, who had gone to France, died there. Sieur Paul Pailloux, Captain of Dragoons, had sent to Sieur Remontrant a power of attorney passed before Crenon and Lheure, notaries, at the Chatelet in Paris, June 11, 1725, deposited at Rossard's, by which he gives the power of having made inventories and reports of the goods and effects of said Sieur Pailloux, his brother, and to supervise the preservation of the same; which has been done. Since the lease made by the deceased Sieur Pailloux has only four more months to run before expiring, Sieur Remontrant believes that for the interest of the absent heirs, it is fit to make a new one, and to adjudicate it to the highest and last bidder, because seeding time is drawing near and it is fitting that the new lessee have knowledge of what Sieur Delagoublaye, who is in possession of this plantation now, is to leave on it; and, furthermore, it is necessary to rebuild the levee and drainage ditches in order to keep out the flood, if it comes, which obliges him to make the present request.

These things considered, gentlemen, may it please you to order that, on a certain day and hour which you will set, one of the councilmen, whom the council will name, will make the adjudication of the farm lease of said plantation of said Sieur Pailloux, of the negroes, negresses thereon, buildings, lands and woods which pertain thereto, for one, two, or three years, if it is not sold during that period, the lessee being obligated to maintain said plantation in value, to use it as the head of a family, to have as much land as possible cleared, to feed and support the negroes and to dress them, which negroes will be the risk of the succession, because the lessee will not overwork them and will not be able to employ them elsewhere than on said plantation and for its improvement; that if he should happen to employ them elsewhere for his own service, either in traveling or otherwise, and some should die, he will be responsible to said

succession for them and will pay fifteen hundred livres per head; that in case of sickness the lessee will be bound to have them cared for at his expense and to call the surgeon major of the hospital to attend them; and that he (lessee) will be bound to reimburse Sieur Delagoublaye and his wife for whatever may be due them by said succession following the liquidation which will be made thereof; because the sum that he will pay will be deducted from his first annual payment; that he will leave at the end of his lease six barrels of planted rice and sixteen barrels of rice or shelled corn in the granary for the maintenance of the negroes, because he will receive a like amount from Mr. Delagoublaye who must leave said provisions at the end of his lease; that he will keep in repair all the buildings which are standing, making all necessary repairs; that the lessee will be bound immediately after the granting of the lease of the plantation to build a levee along the river five feet in height, including the ditch, and two feet wide at the top, and to maintain it for the duration of his lease, because in case the lessee does not keep the farm for three years, the expense of the levee will be returned to him in proportion to the non-use of the property and to the amount which will be agreed upon; that he will leave at the expiration of his lease the two pots used for cooking the negroes' food, as well as the axes, hoes, and tools that the said Sr. Delagoublaye will turn over to him; that the price of the lease will be paid by the lessee into the hands of the Cashier of the Company who will account for it to the heirs of the said deceased Pailloux semi-annually with which his responsibility will end, and in default of this he will be constrained by all the means and penalties of the law.

(Signed) Delachaise

The Council in session orders that the lease of the plantation in question be published and advertised to whoever will wish to take it for the time agreed upon and according to the conditions explained therein and the lease will be executed before Rossard, the notary.

At New Orleans the 18th of January 1727.

(Signed) Brusle Perault Fazende Prat

(On margin of last page:)

The conditions proposed by the present request seeming to be advantageous to the absent heirs, they have been published and posted in order to effect the adjudication of the lease of the said plantation.

At New Orleans, January 18, 1727.

(Signed) Fleuriau

DECISION DAY IN THE SUPERIOR COUNCIL OF LOUISIANA, MARCH 5, 1746

Edited by the late HENRY P. DART

INTRODUCTION

In 1712, the King of France conveyed to Antoine Crozat exclusive control over the commerce of Louisiana for a limited period, with other provisions and stipulations not germane to the subject of this article. As part of this scheme, a Judiciary was provided for the Colony, called the "Superior Council of Louisiana". There had been no legal machinery under the previous regime and it is so stated in this Edict of 1712, which is declared to be an experiment to continue for three years to ascertain whether it was a necessity. This Council was limited to five members, all laymen, namely: the Governor (Cadillac), the Ordonnateur (Duclos), and the King's Lieutenant (Bienville), with two residents of the Colony to be selected at the start by the Governor and the Ordonnateur to fill the vacancies and complete the organization. A legal adviser, called the Procureur General, was also to be selected by these officers, and as there were no lawyers in the Colony, the first Procureur was also a layman whose name has not been preserved in history. The haughty temper and other peculiarities of the Governor delayed the functioning of this body, but once in operation its sympathy favored the colonists, oppressed by Crozat's monopoly; but its usefulness was otherwise apparent and in 1716 a Royal Edict created a permanent Council along the same lines.

In 1717 the Company of the West succeeded Crozat, but no change was made in the Superior Council until the merger of that corporation with the Company of the Indies, when some slight change in name and the installation of a corps of new members occurred. This change took place in 1718. The Superior Council continued to be a body of laymen, but the Procureur General was a lawyer from France (De Baulne), and from that date to the close of the French Era the Council was always attended by a legal adviser, who was always a lawyer. Upon the retirement of the Company of the Indies in 1732 and the reversion of the Colony to

the Crown, the only changes in the Council were those made necessary by the elimination of those members who had represented the Company.

In all the Edicts concerning the Superior Council the Clerk (greffier) of that body was charged to keep minutes of the judgments rendered by it and to preserve the same in a minute book (register). When the writer was placed in charge of the archives of the Council, we began a search for this "register". This search was continued here and elsewhere for several years without success and ultimately we reached the conclusion that the requirement of the minute book had been neglected; but as we grew intimate (so to speak) with the records, we found Minutes of so many sessions that we concluded the Clerk had fulfilled the part of his duty which required him to keep minutes, and we are convinced that these loose sheets are the real minutes of the Council. During the late Mrs. Cruzat's work on the "Index of the Records of the Superior Council", she was constantly noting short summaries of the decisions of the Council. After a time, my curiosity was excited and I began to call for all original documents of that character. Finally, a personal study of the records produced several excellent survivals of full minutes, and these I caused to be printed as we went along. Of course, the summaries that had passed into print could not be changed, nor was our assistant always mindful of the instruction to disregard the summary and translate the full document.

After Mrs. Cruzat's death in 1931, and while her transcript of the Index for 1746-1747 was going through the press, I caught a summary that led me to the document which is printed with this paper. It was too late for insertion in the current Index, but it was such an illuminating illustration of the working of the Council in consultation and decision that I concluded to use it in a special article and Mr. Lugano, who succeeded Mrs. Cruzat, has translated this ancient document and produced a result that enables us to understand the labors of the Council and to appreciate the care and attention given by it to the flood of litigation that filled the docket.

The Superior Council at the period of this document (1746) was occupied by men whose careers are told in history or who were in other respects prominent citizens of the Colony. Vaudreuil was Governor and a member of the Council, but apparently did not sit in the cases here reported. He appears, however, in the minutes

of a session of April 8, 1747.[1] Le Normant was the Commissaire Ordonnateur, the civil coadjutor of the Governor and a very powerful official. By virtue of his office he held the dual position of First Councillor and presiding judge. De Benac, the Town Major, was an army man and exercised powers somewhat akin to those performed today by the Chief of Police. De la Freniere was the father or uncle of the man who was Procureur General in 1765, and who was put to death by O'Reilly in 1769 for leading the revolt against Ulloa. Raguet had held other positions in Louisiana, and he, Prat and LeBreton were prominent men in the Colony.

An interesting question can be answered with some certainty. Whether the Council sat as a body to hear the cases brought before it? We think as a rule it did not. Each case (unless of the simplest character) was referred to a member of the Council, who as a commissioner heard the pleadings, the facts in evidence and the arguments of the parties. His report, in writing, accompanied the record and it was only at this time that the whole membership received the case. It seems also clear that at this full session of the body new evidence was sometimes produced and that oral or written arguments were delivered before it *en banc* there is no reason to doubt. The probabilities lean in favor of the written rather than oral arguments.

The sessions of this body at this period were held in the Government House in New Orleans which was then on the Quay (the street fronting the river) in the square bounded by what was then and is now Toulouse, St. Louis and Chartres streets. The Clerk of this period was Nicholas Henry, and the Procureur, Fleuriau, a lawyer from France who had been appointed in 1722 to succeed De Baulne and who remained in office for many years thereafter. Indeed, it may be said that he was by reason of his long service the man who created the method of procedure before that body; and from that aspect he is a historical figure of the first importance.

The judgments rendered by the Council were final on the facts but were subject to review by the Privy Council of the Council of State in Paris, by process in the nature of our modern writ of certiorari. To seek this remedy required a journey to France and while this was not often done, it is a fact that it was occasionally used and sometimes with success. The reviewable issue was purely and always one of law and quite limited at that; the facts were never reëxamined in the Privy Council.

[1] See *Louisiana Historical Quarterly*, XVIII (1935), 169-176.

Mr. Lugano comments upon the document here presented, that "it contains from beginning to end a long series of all sorts of errors, orthographical and grammatical". My own experience of more than a decade with the French and Spanish Judicial Archives of Louisiana confirms this fact. These documents were usually prepared by the Greffier or the Escribano, possibly from dictation of the judges. The French Clerk (Greffier) was not always selected for his scholarly attainments; but Nicholas Henry, the Clerk in March, 1746, should have done better work because before his appointment he had had a long experience in the office as a deputy. But whatever the cause, it is true that most of these ancient documents are unique in the respect that they are written colloquially and phonetically; however, we moderns have found a way to render them into such choice English as has been done in this instance by Mr. Lugano. It is worth while to note his comment on this document as a whole. He says: "Each judgment rendered by the Superior Council is expressed by one sentence only, even the one relative to the case of the appeal in Thibierge v. Marin, which covers thirteen pages. The lack of punctuation and the confusing style make it difficult for one to grasp the meaning; therefore, the work to be done does not consist only in translating, but also in deciphering and interpreting."

It may be suggested that two causes influenced the make-up of these early judgments; first, a scarcity of white paper in the Colony requiring economy in its use. The local authorities were always entering in their list of necessaries sent to the home government at Paris "paper, we need paper and ink". Pens were made in the Colony, the quill of a fowl was always accessible; but paper, good, white paper, had to come from France. Ink was in a like category. The Colony was not permitted to make it even though the material might have been found here and the machinery necessary to its manufacture. But good paper could have been procured elsewhere had its importation been permitted. However, this was a blessing for posterity because the white paper and the good ink of that era have survived in excellent shape save for the occasional document which has suffered from fire and water and mould and dust. Sometimes we find poor paper and bad ink, and one wonders whether such productions did not come through some "bootlegging" source. Second, the form of judgment in civil cases was prescribed by law,—the Civil Ordinance of 1667. A form book of that era, *La Parfait Notaire*, discarded sentences, punctuation and other

niceties of a long paragraph. With these examples before him, the wary clerk preferred to err on the side of precedent. His job might depend upon any innovation in the interest of taste or easy reading. A chapter might be written on the reasons for this peculiar system, but it suffices to say that we find examples of it in the ancient legal documents of France and of England and her American colonies.

What is our justification for printing this ancient document? The reasons are manifold. Until the *Quarterly* began to print the papers covering the operations of the judicial establishment in French Louisiana the subject was almost *terra incognita*, an unknown country. Even for the most careful historians, there were no sources for research; our documents were secluded, neglected, forgotten. Year by year, the *Quarterly* has developed the history of the Louisiana system. Our readers have been meeting the Council in daily operation. In the "Records of the Superior Council of Louisiana" we have indexed, calendared and printed in every issue, the proceedings of the Council from 1717 to 1747 and the good work is still going on, with twenty-two years of the life of the Council yet to be printed. Through this publication we have become acquainted with the people of Louisiana whose business and necessities required contact with that body. It is proper, therefore, that we should now sit before the working mind of the court, as it gave its reasons for judgment and rendered its conclusions. We may add that the jurisprudence of the court is another subject of supreme importance. The historians of the law are constantly using this material. We are in short opening a window to let in the light upon a judicial system that left its impress on the people and their rights for more than fifty years of active life in the Colony. In this connection, the reader of this article may find it useful to consult "The Legal Institutions of Louisiana",[2] "A Criminal Trial Before the Superior Council",[3] and above all, the Index referred to in the preceding pages. One joy we can promise out of the study here recommended, a knowledge and appreciation of the people who founded Louisiana and who maintained it in adversity and prosperity until the ancient Colony became a part of the United States.

One of the striking things in this document is the disclosure of the method of handling appeals from Illinois which was then a

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[2] *Ibid.*, II (1919), 72-103.
[3] *Ibid.*, XIII (1930), 367-390.

part of Louisiana. Here we are breaking new ground because we have a full record and a careful review of it in the judgment of the Council in the case of Louis Thibierge and Louis Marin de la Marque, involving the appeal from a judgment rendered April 2, 1745, by Sieur Louis Auguste de la Louere Flaucourt, Chief Clerk of the Marine and Subdelegate of the Commissioner of the Marine in Illinois and Judge of that district. From the report we gather that Francois Dubois, an officer of the detached corps of Marines, married an Indian woman, who here and there in the record is called Francoise Missoury. She bore children of this marriage, one of whom married Thibierge, the plaintiff in the appeal. After Dubois' death, the widow married Louis Marin de la Marque, the defendant herein, and had children by him. This suit was begun after her death.

The issue in the lower court (in Illinois) was presented in several suits, but the point involved and finally decided in New Orleans was whether the children of the first marriage could claim a share in the community existing between the widow and her second husband. The theory behind this contention was that the wife of defendant Marin before her marriage with him failed to make an inventory of the community existing with her first husband (Dubois). This failure continued the first community into the second, on the theory perhaps that the effects of that community had been mingled with the earnings of the second, thereby continuing the community for the benefit of the first set of children. But whatever the theory behind the problem, the rule here invoked was so stated in the Statute.

The contest involved the application of the Custom of Paris (which was the common law of Louisiana), and particularly Articles 240 and 241. The articles of the Custom of Paris that necessarily had to be considered by the Council have been translated for us by Mr. G. Lugano, to-wit:

> ARTICLE CCXX.—*Concerning the property that enters into the community and the time when the community begins.*
>
> Men and women united by marriage own in common all movable property, and the immovable property acquired during their uninterrupted marriage. And the community begins from the day of the marriage and nuptial benediction. (This article was No. 100 of the ancient Customs.)

ARTICLE CCXXIX.—*Division of the community.*

After the death of one of the said spouses the community property is divided as follows: the surviving spouse takes one half, and the heirs of the deceased spouse take the other half.

ARTICLE CCXL.—*Continuation of the community in default of a valid inventory.*

When one of the spouses dies and leaves minor children of the marriage, if the surviving spouse does not cause an inventory to be made contradictorily, with some one capable of acting for the minors, of all the property, both movable and acquired immovable property, which was common during the marriage, and at the time of the said death, the surviving child or children, should he or they think fit, shall have the right to claim that all the property of the surviving spouse, both movable and acquired immovable property, be considered community property, in the event that the surviving spouse remarries.

ARTICLE CCXLI.—*The inventory shall be closed within three months after it shall have been made.*

And to confirm the dissolution of the community, it is necessary that the said inventory be made and perfected, and the surviving spouse shall cause it to be closed within three months after it shall have been made; in the event that the surviving spouse fails so to do, the community shall continue, if the children think fit.

ARTICLE CCXLII.—*For what portions the community is continued, upon the remarriage of the surviving spouse.*

If the surviving spouse remarries, the said community is continued between them by thirds, namely, the children take one third, the husband and wife each takes one third. And if each of the spouses has children by former marriage, the said community is continued by fourths; and the said community is multiplied if there have been other marriages, and it is divided equally, so that the children of each marriage take one share in said community. The foregoing is the law in the case when the inventory has not been made, as it is hereinabove explained.

The facts alleged by the first set of children were determined in their favor, i. e., that no valid inventory of the first community had been made and that there were assets of the two communities; but after much discussion, the lower judge deferred a decision on

the law question and held the situation under his control "until the Superior Council has rendered a decision as to the validity or invalidity of the inventory of March 28, 1733."

It appears that Thibierge, the plaintiff, immediately on the rendition of the judgment below notified the local authorities that he would leave for New Orleans to pursue his rights and to anticipate Marin's appeal before the Superior Court of the Province, his right to do this being unquestioned because the Illinois judge had not decided for or against the parties on this disputed issue, but on the contrary had referred that particular issue to the Council. The appeal was lodged in the Superior Council at New Orleans on November 3, 1745. The original printed below was produced.[4]

The last entry in this record is worthy of repetition here. It is a somewhat involved petition to the Council for action on the appeal. We can visualize Thibierge's long trip down the Mississippi in a canoe, and his distressing situation waiting "in the capital" for a hearing, where he had been for four months without friends and possibly without funds.

> *December 3, 1745. 1 p.*—Petition to Superior Council by Louis Thibierge, a resident of Illinois retained "in this capital" (N.O.) for prosecution of a suit against Sr. Marin residing at ten leagues from Illinois, stating that he presented petition for settlement of the succession of Francoise Missoury, deceased, as no inventory was taken at death of her first husband, who was petitioner's wife's father. Consequently the community continued under pretext that a declaration made by said Francoise Missoury was to take the place of an inventory and on this ground several judgments were rendered by Sr. de La Loere from which petitioner has appealed to the Superior Council, the last judgment hereto annexed which would revoke all anterior ones and annul a transaction made by Marin at Illinois before Notary anticipating an appeal from this last sentence, of which act petitioner was never notified but sent to the Council all the papers concerning the case. It would be regrettable if after remaining here four months without friends he were not able to obtain a decision, wherefore he asks that his appeal, of which the Procureur General of the King was notified at his domicile may be effective against said Marin, who is to be prosecuted until final judgment in the interest of the minors who can but suffer from the long delay.
>
> (Signed:) Thibierge

[4] *Ibid.*, XIV (1931), 574, 590-591, 600.

The case was elaborately briefed in Thibierge's behalf before the Superior Council. Marin apparently made no appearance. Councillor Prat acted as Commissioner for the Council,[5] and his report seems to be the basis for the decision of the whole body. This decree shows that the Council on appeal exercised the right to decide the case on the merits without remanding it for further proceedings to the Court of origin. The decree reads as follows:

> The Council orders that the appeal be annulled and the declaration of July 28, 1730, disregarded as well as the transaction of March 27, 1744, between the appellant and the defendant. The Council also declares that there is continuation of community up to the inventory made on September 3, 1739, consequently orders that a new division be made of the belongings contained in said inventory, by thirds, viz: one third to the children of Dubois, one third to Marin, and the last third to be divided, in equal shares, between the children of Dubois and those of Marin. Costs to said succession.

MINUTES OF THE SESSION OF THE SUPERIOR COUNCIL OF LOUISIANA, MARCH 5, 1746

Translated by G. LUGANO[6]

March 5, 1746.
(unnumbered)
28 pp.

Judgments rendered by the Superior Council.

Session of the Superior Council of March 5, 1746. Were present: Messrs. le Normant, first Councillor; de Benac, Major; La Freniere, Raguet, Fazende, Prat and Le Breton, Councillors.[7]

Judgments rendered in the following cases:

Suzanne Piot de Langloisiere Celeron de Blainville, represented by her Attorney, Augustin Chantalou,

vs.

Francois Antoine Pasquier.

Between: Augustin Chantalou in the name and as Attorney of Dame Suzanne Piot de Langloisiere wife of Jean Baptiste Celeron, "Ecuyer", Sieur de Blainville, who duly authorized her, plaintiff;

And: Sieur Francois Antoine Pasquier, "Assesseur"[8] at the Superior Council, defendant.

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[5] *Ibid.*, XV (1932), 140.
[6] From original in Superior Council Archives at the Cabildo in New Orleans.
[7] *Ibid.*, XV (1932), 512-515.
[8] The "Assesseur" was an extra judge added to the Superior Council by a decree of the King in 1742. He was not a full councillor, but an adjunct to the body, who when in active service exercised the prerogatives of a full member.—See "The Office of Councillor Assessor in the Superior Council of Louisiana in the French Regime", in *Louisiana Historical Quarterly*, XV (1932), 117-118.

Having examined the Petition presented by said Chantalou, plaintiff, in his above explained capacity, and the Citation of February 23rd; said Petition explaining that Sieur Jacques S'te Therese de Langloisiere, lieutenant of the detached troops of the Marine in this Colony, died in this City in 1737 and by an olographic will, homologated at the Superior Council of this Province on October 5, of said year, appointed Sieur Pasquier his universal legatee, with the obligation of paying to said Jacques de Blainville, testator's nephew, son of Mr. de Blainville officer of the detached troops of the Marine in Canada and of Dame Suzanne de Langloisiere, testator's sister, the sum of 5000 livres: And concluding that said Sieur Pasquier be condemned to pay him said sum of 5000 livres, offering valid receipt and discharge;

Having verified the acts of procuration dated June 25, 1739, and June 20, 1741, passed before Porlier and Douzé de Blanchy, Notaries for the Jurisdiction of Montreal, which acts were duly legalized:

The Council rendered decision in default against said Sieur Pasquier; and rendering justice to the representations of the Procureur General of the King, acting for said Sieur Pasquier, condemned said Sieur Pasquier to pay the 5000 livres assigned by said S'te Therese's Legacy to said Sieur de Blainville, his nephew; and, upon the declaration made by the Greffier, that a deposit of 5000 livres in currency had been placed in his hands on December 30, 1744, which currency on following January 2nd has been reduced by a loss of three fifths, in compliance with the decree of the King registered at said Council, in consequence whereof said Greffier, on his declaration, has deposited in the Treasury the 5000 livres, which have brought but 2000 livres in currency: the Council orders that said 2000 livres be placed in the hands of the Procureur of said Sieur de Blainville, saving the right of said Sieur de Blainville, or his Procureur, to proceed for the surplus against said Sieur Pasquier, as he will think fit; and condemns said S'te Therese Succession to costs.

Joseph Mossu, represented by his Attorney, Jean Baptiste Prevost,

vs.

Jacques Lorrains called Tarascon.

Between: Sieur Jean Baptiste Prevost in the name and as Attorney of Sieur Joseph Mossu, merchant at La Rochelle, plaintiff;

And: Jacques Lorrains called Tarascon, defendant.

Owing to the order of the Superior Council of this Province, dated January 2nd 1745, by which he (the plaintiff) obtained decision in default against said Jacques Lorrains called Tarascon, who failed to appear to declare the amount of money that he might have in his hands, belonging to the one called Poupart fugitive and

creditor of said Mossu, for merchandise that he (the plaintiff) had trusted him with, and of which he (the defendant) has given no account; owing to said order of January 2, 1745, having heard the statement of said Tarascon, who declared that he owes the sum of 300 livres in Colonial currency to said Poupart, which sum to-day only amounts to 24 piastres, that he is ready to remit to whom it rightfully belongs, upon restitution of his note; the Council has taken into consideration the declaration of said Tarascon and consequently condemns him to pay said sum to the Procureur, in exchange for his note. Costs reserved.

Robineau de Portneuf

vs.

Jean Trudeau.

Between: Sieur Robineau de Portneuf, in the name and as husband of Dame Therese Trudeau, widow of Sieur Alphonse de la Buissoniere, who was Tutor of Gabriel Jusan, minor son of late Gabriel Jusan and of late Francoise Trudeau; said Sieur Portneuf appointed afterward Tutor of said Minor—plaintiff and defendant;

And: Sieur Jean Trudeau, officer of the detached troops of the Marine, in his capacity of Maternal Uncle and Tutor, appointed on February last upon advice of relatives of said Gabriel Jusan, his nephew—defendant and plaintiff.

In consideration of the Petition presented by Sieur Portneuf and of the order and Citation of the first of the present month, said Petition concluding that Sieur Trudeau be condemned to receive the sum of money, that has been entrusted in said Sieur de Portneuf's care as willing depository, in piastres at the value of 12 livres and 10 sols,—and at no other condition—in compliance with the Declaration (of the King) by which the value of paper money has been reduced by a loss of three fifths, such being the amount received by said Portneuf as the share and portion due said Minor Jusan, after he made the exchange according to the Reduction;

Having perused the defenses, presented in written form by Sieur Trudeau, by which he states that he cannot consent to receive said sum, except at the rate of 5 livres per piastre, as it is unfair that the dowry of the Minor's Mother should suffer any reduction—a fact that would be without example;—that moreover the funds that said Sieur La Buissoniere had received in custody in 1742, and have been placed in Sieur de Portneuf's hands in 1743, should have been invested in such manner as to be of some benefit to said Minor, and to avoid him the diminution that occurred two years after;—that the small portion invested by said Sieur de la Buissoniere in the purchase of a negress, for account of said Minor, give evidence of the difference between the past purchasing price of said negress and the present value with its increase;—and concludes: that Sieur de Portneuf's Petition be rejected and he be con-

demned to return the whole amount that is coming to said Jusan, also said negress and her issues in nature and to pay all costs, damages and interests:

The Council having heard the parties as well as the conclusions of the Procureur General of the King, before rendering judgment, orders that Sieur Portneuf render account to Sieur Trudeau of said Minor Jusan's property, which is in his care, so that, on the result of said account, justice may be done. Costs reserved.

Catherine De Magny, represented by Augustin Chantalou, her Attorney,

vs.

Louis Robineau de Portneuf.

Between: Chantalou, acting under Procuration of Dame Catherine De Magny, wife of Messire Louis de Gourdan, General Commissioner and First Clerk of the Marine, declaring herself to be the sole heiress of deceased Sieur Alphonse de la Buissoniere, her first cousin, and declaring herself creditor of several sums of money owed to her by said deceased Sieur la Buissoniere— plaintiff;

And: Sieur Louis Robineau de Portneuf, in the name and as husband of Dame Therese Trudeau, widow of said Alphonse de la Buissoniere—defendant.

Having read the Petition presented by said Chantalou in his capacity, also the order and Citation of the 2nd of the present month; said Petition explaining that by order of the Council, dated February 25, 1745, letters of benefit of Inventory obtained by said plaintiff have been ratified in behalf of the grantee, in whose name said Chantalou is acting, and have been served to the Procureur of the King at his domicile to be sent to Illinois to the domicile of Dame Therese Trudeau, (widow of said Sieur de la Buissoniere), whose second husband is Sieur Robineau de Portneuf at present in this City and concluding; that said Sieur Robineau be summoned, in his capacity of husband, before the Council, at its first hearing, to acquiesce to the ratification of them and refute or answer what he will think fit:

The Council has rendered judgment in default against said Sieur de Portneuf for having failed to appear and give recognition to said Chantalou of his appearance and orders that the letters of Benefit of Inventory obtained by said plaintiff shall have their full execution, to be fulfilled according to their form and tenor.

Francois Maillot, represented by Augustin Chantalou, his Attorney,

vs.

Between: Augustin Chantalou, in the name and as Attorney of Sieur Francois Maillot, private Lieutenant of the Jurisdiction of Montreal, creditor of the late Sieur Denis Drouet de Richarville—plaintiff;

Nicolas Godefroy Barbin, Attorney for the Vacant Estates.

And: Sieur Nicolas Godefroy Barbin, General Attorney for the Vacant Estates in this Colony, and in charge of the Succession of the late Sieur Dauseville, in life Attorney for the Vacant Estates, who had been in charge of the Succession of said late Sieur Drouet de Richarville—defendant.

Owing to the Petition presented by said Chantalou in his capacity, and to the order and Citation of February 28 last, said Petition explaining that Sieur Barbin, Attorney for the Vacant Estates, having taken in charge the Succession of said late Sieur de Richarville, who was debtor of the sum of 7626 livres, 5 sols, 2 deniers by note dated June 12, 1736, said Sieur Barbin be condemned to pay him the sum of money that he might have in his possession to the extent of said amount of 7626 livres, 5 sols, 2 deniers, and interests, costs and expenses;

The Council, having examined said act of procuration passed on June 12, 1745, before Ademar and Douzé de Blanchy, Royal Notaries at Montreal, and duly legalized; and a copy of the obligation made by said deceased Sieur de Richarville to Sieur Francois Maillot; and the sentence of condemnation in the jurisdiction of said Montreal obtained on August 8, 1738, served by Solquin, Huissier, at his domicile, the whole duly legalized;

After having heard the parties and the conclusions of the Procureur General of the King;

After having perused the account given by Sieur Barbin, showing that he had in his hands the sum of 5979 livres, 4 sols, and 9 deniers, that he received both from the Succession of Sieur Dauseville and from Sieur Buchet, acting as Attorney for the Vacant Estates in Illinois, coming from the Succession of late Sieur de Richarville;—which sums were in currency of the Colony and had been by him handed over to the Treasury, being a part of the sum of about 45000 livres that he deposited in the Treasury: (the Council) condemns said Sieur Barbin to pay to said Sieur plaintiff—in his capacity—the sums that he will happen to owe to the Succession of said Sieur Richarville, such sums to be taken out of said sum that was placed in the Treasury, by which means he will be duly relieved of his obligation both from the Succession of Dauseville and that of Sieur Richarville. Costs on said Succession.

Nicolas Godefroy Barbin, Attorney for Vacant Estates,

vs.

Antoine Aufrere and Pierre Delisle, called Dupart.

Between: Sieur Nicolas Godefroy Barbin, Attorney for the Vacant Estates and Correspondent of the heirs and creditors of late Sieur Raimond Amiant "Ecuyer" Dauseville—plaintiff;

And: Sieur Antoine Aufrere Substitute Procureur of Sieur Gerard Pery, who had received procuration from the heirs and creditors of said late Sieur Dauseville;

And: Sieur Pierre Delisle Dupart, guarantee of said Sieur Aufrere—defendants.

In consideration of the Petition presented by said Sieur Barbin, plaintiff, and of the Order and Citation of February 8th and 9th last: said Petition explaining that by sentence rendered by the Jurisdiction of St. Malo, on June 25th last, between: Demoiselle Bernarde Amiant, sole heiress—by Benefit of Inventory—of said Sieur Dauseville—and:—the Creditors of said Succession, has been ordered that Mr. Thomas Amelot Sieur de Hautmanoir—guarantee of the Benefit of Inventory and in charge of the Succession of said late Sieur Dauseville—was authorized to use as Correspondent in this Colony said Sieur Barbin, plaintiff, in place and stead of Sieur Gerard Pery, formerly appointed Procureur, whom Sieur Pery had substituted in his place and stead said Sieur Aufrere, his father-in-law; which said Aufrere by virtue of said procuration has obtained the Order of the Council, on December 5, 1744, condemning said Barbin to remit all the Goods and Effects of said Succession to said Aufrere, who had furnished proper and sufficient security;—that by virtue of said Order and of the acceptance of said Dupart as guarantee, said Sieur Barbin has handed over to said Aufrere all the negroes, cattle, plantation and its paraphernalia, also the city houses belonging to said Succession, also several notes from private individuals amounting to the sum of 20339 livres, 9 sols; the sum of 6125 in currency of the Colony; a note of 10300 by Sieur Ancelain debtor to Sieur Dauseville; and 13300 in Spanish money—according to his receipts;—that on August 19th last said Sieur Pery, by an act dated the 17th of said month, has notified the plaintiff of the Revocation of the person of said Aufrere and has declared his intention of proceeding, in his place and stead, to the collection of said Succession;—and, as the sentence of St. Malo appoints said Sieur Barbin Commissioner of said Succession in Sieur Pery's place and stead, it being his purpose to see said sentence executed and to become recipient of all the Effects that appear having been trusted to said Aufrere's custody; and concludes that said Aufrere and his Guarantee be summoned before the Council, at its first session to hear that the sentence rendered by the Jurisdiction of St. Malo will be executed, consequently said Aufrere and Dupart shall be jointly and severally condemned to hand over to the plaintiff the sum of 20339 livres, 9 sols, representing the amount of notes from private individuals; 6125 in currency of the Colony; 10300 livres representing Ancelain's note; and 13300 in coins; and also the said slaves Francois Louis and Mercure, negroes, which were not judicially sold and that were part of the Succession of said Dauseville; and also some plantation utensils;—without prejudice to other requests that he might make for reason of sales, interests and costs;

In consideration of the sentence rendered at St. Malo on June 26, 1745, and of other documents duly legalized, the whole served to said Aufrere and Dupart by Le Normant "Huissier" on February 9th last; and answer by said Aufrere, dated the 4th of this month, stating that in no manner whatsoever is he able—at present—to comply with Sieur Barbin's request, since Sieur Dupart, his guarantee, who was summoned jointly with the defendant for the same case, is absent, whom he expects daily and with whom he must consult, as they are both entrusted with said Succession, consequently that the suit be suspended for a fortnight enabling Sieur Dupart to be present at the joint answer:

The Council, having heard the conclusions of the Procureur General of the King, rendered judgment in default against Sieur Dupart for non appearance, consequently orders that Aufrere shall render account to said plaintiff of all that has been legally entrusted in his care, and also of all books, papers and documents and informations that he might have. Costs reserved.

Bourgerel Le Prevost, represented by Augustin Chantalou, his Attorney,

vs.

Sieur Sevet.

Between: Augustin Chantalou in the name and acting under procuration of Bourgerel Le Prevost, merchant in Nantes —plaintiff;

And: Sieur Sevet—defendant.

Having been perused by the Superior Council the Petition presented by said Chantalou, plaintiff, the Order and Citation of February 26th and 28th last; said Petition explaining that he has been given power of Attorney to obtain from Sieur Sevet the account concerning a shipment of merchandise entrusted in Sevet's care by Sieur Bourgerel Le Prevost in the year 1736, which goods were to be sold at La Martinique, and, after the proceeds had been collected, one fourth of the profits was to be given to said Sieur Sevet, for his commission; and concluding:—that said Sieur Sevet be summoned before the Council, at its first session, to hear himself condemned to render account to said plaintiff of said merchandise, as well as of the profits, interests and costs;

Having been verified by the Superior Council said procuration dated November 12, 1743, passed before Forget and Vrien, Royal Notaries in Nantes, the substitution dated April 10, 1745, passed before Hes and Rousseau, Notaries at Le Cap, duly legalized; and one account of merchandise entrusted to Sieur Sevet on March 10, 1736, amounting one part to 2386 livres, 9 sols, another part to 82 livres, 4 sols, and a third part to 13 livres, 17 sols, 6 deniers, the whole notified to Sieur Sevet:

The Council, before rendering judgment, orders that said defendant give account of the sums specified in said bills for

the merchandise entrusted to him, so that judgment may be rendered upon examination of said account.

Decision taken on Petition presented by Sieur de la Gautrais.

Petition by Sieur de la Gautrais in the name and as husband of Dame Nerveux, formerly widow of Sieur Dutisne and previously of Sieur Girardy, natural Tutrix of the issues of both marriages, petitioner, jointly with the relatives and inlaws and friends of the Minors residing in this City; said Petition explaining that said Sieur la Gautrais, his wife and said minor children were formerly established in Illinois with the property of both marriage communities, and then came down here to New Orleans for the purpose of settling down on a plantation, that they have recently purchased; and explaining that it would be advisable—in their common interest—to sell one part of said property in Illinois, that is perishable, owing to their absence, as it consists of cattle, mills, and buildings; and to invest the proceeds on this very plantation, or on other lands below mentioned, and at the same time to supply better means for the education and upkeep of said Minors, who are entrusted to said de la Gautrais' care, without using their principal, since it is not possible to do so with what the income is presently yielding and which is inadequate; to that end the petitioner is ready to give all the necessary securities and mortgages; and concludes:—that he be permitted to put up for sale, to be transacted according to the usual form, in such manner that the persons in whose care the said property has been entrusted, in the absence of the petitioner, will have no right to oppose or procrastinate the sale;—owing to the consent of the relatives and inlaws of the Minors, by which consent they allow that the sale of said property situated in Illinois shall be made as it will be deemed advisable, and the proceeds to be invested in improvements of the plantation that was purchased by Sieur de la Gautrais,—said plantation to be used as mortgage for the Minors' estate,—or to be invested in other funds that may appear more profitable for the education and upkeep of said Minors, without using the principal, which said relatives and inlaws have engaged to supervise:

The Council has homologated and homologates the consent of said relatives and friends and consequently orders that the house situated in Illinois and also the lands and cattle be sold, as they are liable to depreciate, and the proceeds be invested here in real estate together with negroes who are in Illinois and who shall be sent down here in nature and placed on the Chapitoulas plantation, where reside Sieur la Gautrais, his wife and the minor children Girardy and Dutisne.—Granted.

Louis Thibierge vs.

Between: Louis Thibierge in the name and as husband of Francoise Dubois,

Louis Marin de la Marque.

daughter of late Sieur Dubois, officer of the detached Marine troops in this Colony, stipulating and acting for his minor issues by said late Francoise Dubois—appellant, plaintiff and defendant;

And: Louis Marin de la Marque, residing in Illinois, acting for his minor children by Francoise Missoury, widow by previous marriage of said Sieur Dubois—appellee, defendant and plaintiff—represented by Mr. Fleuriau, Procureur General of the King, as having been entrusted with the Memoir of defense presented by said Marin, in consequence of the sentence of Illinois, which referred the case to the decision of the Council.

According to the order of the Council, dated December 4th last, rendered on the Act of Appeal presented by Thibierge, said order stating: "The Council has notified Thibierge that his appeal, dated September 4th last, was examined, consequently orders that the documents of the case must be deposited in the Registry and judgment will be rendered";

Considering the inventory of February 3, 1739, produced by Thibierge, said inventory made after the death of said (widow) Dubois, under the name of wife of Marin, ascertaining the goods of the Community between said Marin and her, said inventory received by Barrois, Notary in Illinois, and considered closed and concluded without date, and considering the Act of division of February 4, 1739, to find out what is coming to the Minors of Dubois—represented by their Tutor and Substitute Tutor—and what is coming to the Minors of Marin, said act of division drawn and received by said Barrois, which act consequently shows the shares coming to each of the claimants to said Succession, dated April 1st, 1739, drawn up by Barrois;

Considering also a sentence rendered by Sieur Louis Auguste de la Louere Flaucourt, Chief Clerk of the Marine and Subdelegate of the Commissioner of the Marine in Illinois, in the following terms and pronounced between Louis Thibierge, plaintiff, and Marin, defendant: "We order that the documents in question, viz: the Marriage Contract of Louis Marin with the widow of Sieur Dubois; the Inventory of what Marin brought when he married said widow; the Statement giving account of the 5000 livres that appear in said Inventory; the Inventory made after the death of Sieur Dubois, shall be furnished to the plaintiff within fifteen days, otherwise, in default of this by the defendant, We order that the sums brought by the division amounting to 800 livres and 5000 livres shall be erased and cancelled from said division and a new division shall be made, unless the plaintiff presents his defence on said account and division and on other articles if there are any to defend"—said sentence served by Dubois "huissier" on February 11, 1744;

Considering the demands of Marin in consequence of said sentence; the defences, without date, produced by Marin and signed by la Louere Flaucourt—for duplicate—requesting that a revision should be made of the division in presence of the Tutor and Substitute Tutor, to which defences a Certificate by Rev. Père Tartarin will be joined; the special order of Sieur de la Louere Flaucourt of February 23, 1744, without notification, ordering that said Thibierge produce his defence against said account and division so that answer be given after the whole has been heard and understood;

Considering the defence of Thibierge in consequence of said order, exposing that said Marin had taken away several effects belonging to the Succession of widow Dubois and to the Community between him and said widow during her second marriage; and considering also several other facts explained in detail in said defence of February 24, 1744; and the notification of March 3rd, said year, served by Dubois, "huissier" on Thibierge, to witness the collation of the titles which Louis Marin wishes to be examined;

Considering the sentence of March 9, 1744, rendered by Sieur Louis Auguste de la Louere, Chief Clerk of the Marine, Subdelegate of the Marine Commissioner, Judge in Illinois, between Louis Thibierge, plaintiff, and Louis Marin, defendant, ordering that the judgment rendered on February 10, 1744, shall be fulfilled according to its form and tenor, consequently the community will be in existence until new division, of which community one half will be given to the Dubois' Minors; after which division a new one will be effected on the Community existing the day of the marriage of said (Dame) Dubois with the defendant; of which community one half will belong personally to the Dubois minors and the other half will enter into the community; and likewise the defendant shall give account of the sums due to said community and mentioned in the inventory: —said sentence of March 9, 1744—condemning the defendant to pay the plaintiff the sums that will be due according to the new division and belonging to the community, and declaring the plaintiff nonsuited as to his other requests;—said sentence being signed by la Louere Flaucourt and not appearing to have been notified by the "huissier":

Notification given on March 23, 1744, by Dubois "huissier" to Thibierge to appear eight days after the arrival of the brief to the Superior Council of Louisiana sitting in New Orleans: meaning an Act of Appeal presented by Marin to the Council; an account of costs amounting to the sum of 515 livres, dated March 30, 1744, and signed by la Louere Flaucourt; another account for the same case, certified by Thibierge, amounting to 500 livres, signed by la Louere Flaucourt; acknowledgment

stipulated by Bienvenu stating that Thibierge has handed him a compromise of March 31, 1744, made by Marin for a four-ox chariot and the sum of 5300 as it is more lengthily described; the particular order of said Sieur de la Louere, rendered on the petition presented to him by Barrois, relative to the case of Marin and Thibierge, by which order Thibierge is summoned to appear on April 2, 1745;

A Petition by Marin to Mr. de la Louere Flaucourt, in his capacity of Judge in Illinois, answered: "Having read the statement we order that Thibierge shall furnish good and sufficient bond to the petitioner for the lawsuit he intends to carry on; he shall deposit in the Registry the sum of 500 livres for the cost of his lawsuit, unless he prefers to place in my hands his documents to be sent to New Orleans to be decided upon by the Superior Council";—said Petition served on Thibierge by Dubois "huissier";

Several Certificates by Sieur de la Cotteraye, Bequet, Rev. Père Mercier de Louviere, de la Gaudraye, Mallet, Rev. Père Gaignon;

Considering the sentence, for which appeal is made, sentence rendered by Sieur de la Louere Flaucourt, in his capacity, and acting Judge in Illinois, between Louis Marin plaintiff and Louis Thibierge defendant, on April 2, 1745, stating: "Having read and weighed (the documents of the case) we have annulled and annul the judgments of February 10th and March 9th, 1744 rendered by us on Marin's failure to present the Inventory; moreover we annul the compromise made in consequence of said judgments, since these were rendered against the tenor of the Custom (of Paris) on false statements; we put back the parties where they were before said sentences and compromise; and having perused and examined said Inventory of March 28, 1733, February 1733, and division of February 4th of said year: We order that the sum of 6272 livres, 5 sols, which must represent the share coming to the Dubois Minors—if there is continuation of community between the minor children of deceased Dame Dubois, their mother,—shall remain free and in deposit in the hands of the persons that are charged with said sum, which has been delivered to them by said Sieur Marin, to remain there until the Superior Council has rendered decision as to validity or invalidity of the Inventory of March 28, 1733, being in default of closing;—we order to Bienvenu to remit to Marin the sums that are entrusted in his care";—said sentence having been notified on April 2, 1745, to Thibierge by Dubois "huissier";

Petition presented by Thibierge containing an act of declaration of departure, June 5, 1745, to pursue his requests and to anticipate on Marin's act of appeal before the Supreme Court

of this Province, said petition granted, as requested, with a permit by Sieur de la Louere, and notified by Dubois "huissier" to Marin, personally, on the 8th of said month;

Considering also the documents produced by Marin, said documents being the same ones produced by Thibierge, with the exception of the declaration of July 8, 1730, presented by Marin in lieu of inventory with the purpose of dissolving the community between Dubois and Marin, said declaration arranged in figures (ciphers) with no signature affixed by any person entitled to the capacity of Judge or Notary;—and, joined to said declaration, another one that Marin has found fit to make, concerning his own property, this document being drawn in no other form than that of bearing the signature of Marin;

A contract of July 10, 1734, between Pichard and Marin relative to transfer of cattle from Missouri to Illinois, signed by Marin and by R. P. Tartarin;

A Certificate by R. P. Tartarin and Pierre Grinel regarding facts of the case;

The Compromise of March 27, 1744, between Marin and Thibierge, deposited in the office of Barrois, Notary, the purpose of which was to end the procedure between Marin, Thibierge and others, and to come to a division;

The Petition presented by Marin, and sent to the Superior Council, in the form of an act of appeal, praying the Council to render judgment on the case;

The Court having considered the Memoir presented by Louis Marin in form of demands and defences, asking that it please the Council to decide on the validity or invalidity of the Inventory signed: "Bertelot per Marin", said document representing Marin;

Considering the answer by Thibierge according to his defences and demands, stating that the Court is notified of said Marin's absence and that with the same desire of obtaining a decision, he (Marin) had sent his documents to the Council,—said documents having been remitted to Mr. Fleuriau, Procureur General of the King, together with his demands and defences, the whole in the form of Memoir,—on which the Council rendered judgment by its order of December 4th last, informing Thibierge, the appellant, that his act of appeal had been examined, and that after the notification of the documents there is nothing else to do but to establish his right in answer to the appellee's Memoir.

Before submitting to the Court the question that occasioned the present lawsuit, it is opportune to state that late Dubois, of the detached Marine troops in this Colony, making his usual

residence in Missouri, went to Illinois, where he died and left widow Francoise Missoury, his wife, with several children, one of which was the Appellant's deceased wife, by whom the Appellant had several children, in whose name he is now pleading, as they are under age;

Late Dubois having gone to Illinois, where he died, had carried with him all of the effects, as it was customary to travelers in those parts, in order to facilitate their trade;

Widow Dubois, who was on the spot, took possession, as was her right, of all the effects without, at that time, making an inventory; and then contracted a second marriage, Marin being the second husband, without either making an inventory or drawing a marriage contract, consequently the community was not dissolved; said widow Dubois, after having become Marin's wife, died, and the children of the first marriage—of said widow Dubois—claimed their right to the goods of deceased Sieur Dubois and Francoise, their father and mother, and had an inventory made claiming their right to the community, which had continued, since said Francoise, in remarrying with Marin, had made no inventory. Now a pretended declaration, supposed to have been made by widow Dubois, is opposed to the appellant and the appellee insists that said declaration must take place of an inventory, although he admits that it is not dressed in the form required by articles 240 and 241 of the Custom of Paris; it is on the merit of the appellee's Memoir that the Court is requested to render judgment, without considering the essence of said declaration, which would cause the parties considerable expence, owing to the distance, and point by point the appellee's Memoir is to be followed, although said appellee wants us to understand that an inventory in legal form would have been too costly, for the small inheritance left by deceased Dubois; but it will be retorted to him that the cost (for such an inventory) would not have been greater than this pretended declaration; and that, had the Notary been really a titled and commissioned Notary, he would have informed the parties of that fact.

Propositions: it is useless to report to the appellee that this pretended declaration, to which the name of inventory is given, is devoid of all legal forms, as he admits it himself, consequently it cannot bear the title of inventory, as it is, first of all, a document supposed to have been made; and, even had it been made in the form of the produced copy, it could never have been used as an inventory, as it is defective both in its substance and in its form and probably in its whole; for this reason it shall be made clear to the appellee that the example quoted by him of a decree of 1601, which decree declares force and effect of dissolution of community notwithstanding some nullities in the inventory, is quite different from the present case;

this inventory not being defective in its whole, as it contained only seven nullities, no doubt it presented some parts that justified its good faith; and this proves all the more that this declaration is fraudulent and that it cannot be used as an inventory.

By making a little dissertation we ask the appellee, under which name this declaration is made: is it in the name of widow Dubois?—as she appears under the name of wife of Marin,—consequently in this capacity it was impossible for her to dissolve a community that she had kept up through the second marriage, as it is the day of the celebration that renders man and wife common, all the more that the community stipulated in a marriage contract takes place only under this condition, even if it were not stipulated, unless there existed clauses to the contrary, agreed upon between the contracting parties: this question is proved by the Custom (of Paris), according to the same articles 240 and 241, quoted by the appellee.

It is believed that these reasons, based upon the Custom (of Paris) are sufficient to render said declaration null, even if it were certain (its existence); and at the same time to dispense us with furnishing proofs against other Certificates that "personnes caracterisees"—some particular persons—have given to justify the authenticity of it (said declaration). Let it be said, en passant, that only doubtful things need the support of statements granted rather willingly by persons induced for various reasons, without thinking that, in matters of consequence, such documents (certificates and statements) cannot be taken into consideration.

No comment will be made upon the contradictory decisions rendered in this case by said Sieur Judge, as he himself, by his last judgment, has referred the case to the decision of the Court; and likewise no comment will be made on the compromise agreed upon by the parties, which act cannot have any effect, as it concerns the interests of the Minors, who have always the right of recovery:

"For all these reasons, Our Lords,"—Louis Thibierge, appellant concludes—"may it please the Court to declare null the judgment rendered on April 2, 1745, in the jurisdiction of Illinois, as well as the previous ones, between the appellant and the appellee; to declare null and void the would-be declaration, produced in lieu of inventory, made by Marin's wife, and to sentence said Marin, in person, to pay past and future costs of the lawsuit; while the appellant reserves all right for further claims":

The whole having been considered together with the demands and defences presented by the parties; and the Report of Mr. Prat, Reporter on the case; and the conclusions of the Procureur General of the King:

The Council has ordered and orders that the appeal be annulled and the declaration of July 28, 1730, disregarded, as well as the transaction of March 27, 1744, between the appellant and the appellee;—The Council also declares that there is continuation of community up to the inventory made on September 3, 1739; consequently orders that a new division be made of the belongings contained in said inventory, by thirds, viz: one third to the children of Dubois, one third to Marin, and the last third to be divided—in equal shares—between the children of Dubois and those of Marin. Said Succession condemned to costs.

(**Note by translator:** The entire document above reproduced is an uncertified copy and bears no signature. It is in good condition.)

COMMISSION, ORDERS AND INSTRUCTIONS ISSUED TO GEORGE JOHNSTONE, BRITISH GOVERNOR OF WEST FLORIDA, 1763-1767

Edited by JAMES A. PADGETT

INTRODUCTION

George Johnstone (1730-1787), British Governor of West Florida from 1763 to 1767, was the second son of Sir James Johnstone, a Scotchman of Westerhall, Dumfriedshire. Since he did not inherit a title of nobility, he had to choose a career for himself. He selected the Navy as a profession, and on February 2, 1749/50, he passed the examination for a Lieutenant in the Navy, after having previously spent about six years at sea. He displayed daring, adventure and courage. When Port Louis was attacked on March 8, 1747, he boarded a fire-ship and made fast a chain by which the ship was towed clear of the squadron.[1]

Early in life he developed an aggressive, overbearing disposition which followed him through life and is demonstrated in almost every phase of his career. One has only to read his speeches or investigate his conduct to be convinced of this fact.[2] In 1747 he challenged Captain John Crookshanks to a duel, but no serious injury was done. He became a Lieutenant in 1755, and while in the West Indies during that same year he killed the clerk of the captain in a duel over some minor dispute. Several years later he was courtmartialed and found guilty of disobedience and insubordination, but on account of his former gallant behavior he received only a reprimand.[3]

After other changes, and occasional displays of valor, while he was employed in the North Sea and at Lisbon Station, Johnstone was advanced to post rank and appointed to the *Hind*, at that time stationed at Gibraltar. He was confined to his bed for twelve weeks, due to a fall of seventeen feet at Chatham which caused a seriously sprained ankle and other foot injuries. When

[1] Dunbar Rowland, ed., *Mississippi Provincial Archives, 1763-1766*, I, xiii.
[2] Several of his speeches in Parliament have been printed.
[3] Rowland, *op. cit.*, I, xiii.

his ship returned, he was unable to go with it and for more than a year he was placed on half pay, which together with his injury were most galling to him.[4]

Due to the influence of Lord Bute, also a Scotchman, George Johnstone was appointed Governor of West Florida, on November 20, 1763, a territory which Great Britain had received earlier in that year by the treaty with France and Spain. Colonel Grant, another Scotchman, was made Governor of East Florida about the same time. When the *North Briton* commented quite severely on the unfitness of Johnstone for the position, the newly appointed Governor entered into a quarrel with the manager. This controversy almost ended in a duel, but terminated in a hand to hand fight between Johnstone and a clerk in the office, the supposed author of the offensive article.[5]

Johnstone was not much above the common swashbuckler type of his time, but an occasional act of gallantry in the interest of his country led to his trust and promotion in a period when a little sea service always led to high esteem and a strong plea for higher honor and office. His idea of obedience and authority was gained from the discipline of naval life where men were little more than mere puppets in the hands of their superiors. Such an attitude did not please the people of West Florida in the least, since they had been previously left largely to manage their own affairs. Until Johnstone arrived Major Farmar administered the affairs of the province, and Johnstone found himself in trouble with the major almost from the beginning of his administration.[6] Claiming that the command was largely in himself, Johnstone soon clashed with the military authorities in the province, resulting in long periods of controversy. General Gage, the Commander-in-chief, was soon drawn into the affray, but he sided with the military against the Governor, which resulted in weakening Johnstone's influence and prestige. His arbitrary and self-willed nature stood in his way and his methods hindered the happiness and progress of the infant province.[7]

Upon arriving in the colony Johnstone found that affairs were conducted in a loose manner, that incapacity, lack of integrity and honesty were common, and that the people did not want any superiors over them. All authority was received with an

[4] *Ibid.*, I, xiii-xiv.
[5] *Ibid.*, I, xiv.
[6] *Ibid.*, I, xiv.
[7] *Ibid.*, I, xv.

almost uncivil attitude, which made it very difficult to govern this outpost of civilization. Most of the Governor's trouble came from his dispute over the military command and a continual pressing for his point. The conduct and attitude of the colonists should not have made his term an almost complete failure, but he blamed his difficulties on the Stamp Act which he said was the cause of great resistance even in West Florida.[8]

Johnstone was a man of considerable ability and some learning, possessed even of a certain sort of culture; but his aim and object could only have been attained by his being invested with absolute power and control which in the end would have resulted in worse conditions than befell the colony. He could not understand the law governing the adjustment of the civil and military powers, which led him into many controversies. These, together with the many complaints piled up in America and London, led to an almost intolerable situation.[9]

He appeared full of astonishment and indignation at these many complaints, but he replied to them in a straightforward manner and showed a desire for the good of the colony. However, even in his replies to the complaints he displayed his desire for more power. He was active in protecting the colony, for which purpose he constructed Fort Bute at the junction of the Bayou Manchac with the Mississippi River. The two notable conferences held with the Choctaws, the Chickasaws, and the Creeks, where he displayed great self-restraint, insight and skill, demonstrate that he must have had ability along that line. His ideal solution of the Indian problem was a brutal one, but by a friendly attitude of goodwill he succeeded in keeping the peace with the Creeks at a very critical period. The colonists often complained of his neglect of their interests, but likely they would have complained of any governor. They said that he would not erect a church for worship and that the former minister had left on account of insufficient support.[10]

The Governor should not be censured for every evil in the colony. The Indians, plagues such as the yellow fever, sterility of the soil, lack of trade and capital, and poor world economic conditions hindered the growth of the colony. The Governor often complained to the Home Secretary, which did little good; and he

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[8] *Ibid.*, I, xvi.
[9] *Ibid.*, I, xvi; West Florida Papers, Library of Congress, *passim*.
[10] Rowland, *op. cit.*, I, xvii.

often advertised the colony in glowing terms, but to little advantage. After more than three years of administration, torn by dissentions both civil and military, he and his friends asked for a leave of six months for the Governor, which was granted, and it was understood that he would never return. Lieutenant Governor Browne now tried his hand, but Johnstone had often accused him of corruption and they had even talked of settling the questions with pistols. If possible, affairs grew worse under Browne.[11]

Johnstone's service in America and in the Navy elected him to Parliament after his return to Great Britain. In 1768 he was chosen from the borough of Cockermouth. His nature was now more boisterous and turbulent than ever and he gave free vent and reign to his passions, becoming disputatious and intemperate in speech. He made much of his skill with the pistol. A gross public insult by Johnstone brought on a bloody duel with Sir George Germain. Johnstone was sent back to Parliament at several elections, and was soon looked upon as an authority on American affairs. In 1778 he was honored with appointment upon a Commission with the Earl of Carlisle to treat with the American Colonies.[12]

When he attempted, in writing, to win over one of the American commissioners, the matter was reported to Congress, which, on August 11, 1778, passed a resolution stating that it was incompatible with the honor of Congress to hold any manner of correspondence or intercourse with the said George Johnstone, especially to negotiate with him upon affairs in which the cause of liberty or virtue was interested. This conduct led the English to force Johnstone to retire from the Commission.[13]

After Johnstone's return to Great Britain he was sent back to Parliament, where he had so much influence over Lord Sandwich that he was promoted in the Navy, made Commodore and Commander-in-chief over a small squadron on the coast of Portugal, and spent the remainder of his life in a rather indifferent manner, but relieved by an occasional bit of gallantry.[14]

A serious difficulty now developed between Johnstone and Captain Evelyn Sutton, caused entirely by the extreme cruelty

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[11] *Ibid.*, I, xviii.
[12] *Ibid.*, I, xix; *Journals of the Continental Congress, passim.*
[13] Rowland, *op. cit.*, I, xix-xx.
[14] *Ibid.*, I, xx.

of the former. Until the end of Johnstone's days Sutton pursued him in the courts, but he was able to evade the issue and escape as he had often done before. In the meantime he became acquainted with East Indian affairs and even prepared a book on the subject.[15]

While stationed at Lisbon Johnstone was married, presumably for the first time, to Miss Charlotte Dee, by whom he had one son, John Lowther. After retiring from the Navy, Johnstone returned to Parliament. But his health became impaired and after two years of invalidism he died on March 24, 1787, at the age of fifty-seven.[16]

Some of Johnstone's friends claim that his superior ideals of honesty and the rigor with which he investigated the conduct of public officials brought on much of the opposition that developed against him in West Florida; but he had been intrusted with numerous positions which offered the highest sort of distinction, yet his public labors were sadly lacking in all good results that ought to have followed an active career of one apparently bent on service to his country.[17]

The instructions of King George III of Great Britain to Governor Johnstone make interesting reading, for they give a detailed account of what he was expected to do in the frontier colony of West Florida at a time when the King was beginning to have trouble with the thirteen colonies on the Atlantic seaboard. All the documents printed below are copied from manuscripts in the West Florida Papers, in the Library of Congress.

A Copy of the Commission of George Johnstone Esq. Governor of West Florida

GEORGE THE THIRD BY THE GRACE OF GOD King of Great Britain France and Ireland, King defender of the faith and So forth, To our Trusty and Welbeloved George Johnstone Esquire Greeting: We reposing especial Trust and Confidence in the prudentt Courage and Loyalty of You the said George Johnstone of Our Special Grace, Certain knowledge and Mere Motion, have thought fit to Constitute and Appoint and by the presents, Do Constitute & Appoint You the said George Johnstone to be Our

[15] *Ibid.*, I, xx.
[16] *Ibid.*, I, xxi.
[17] *Ibid.*, I, xxi.

Captain General and Governor in Chief in and Over Our Province of West Florida in America, bounded to the Southward by the Gulph of Mexico, Including all Islands within Six leagues of the Coast, from the River Apalachicola to Lake Pont-Chertrain, to the Westward by the said Lake, the Lake Maurepas and the River Mississippi, to the Northward by a line Drawn due East from that part of the River Mississippi which Lyes in Thirty one Degrees North Latitude to the River Apalachicola or Chatahouchee and to Eastward by the Said River. And We do hereby require and Command You to do and Execute All things in due Manner that Shall belong to Your said Command and the Trust We have reposed according to the Several Powers and Directions Granted or Appointed You by this Present Commission and the Instructions and Authorities herewith Given to You or by Such further Powers Instructions and Authorities as Shall at any time hereafter be Granted or Appointed You under Our Signet and Sign Manual or by Our Order in Our Privy Council and According to Such reasonable Laws and Statutes as Shall hereafter be made and Agreed Upon by You with the Advice and Consent of the Council and Assembly of Our said Province under Your Government in Such Manner and form as is hereafter Expressed. And Our Will and Pleasure is that You the said George Johnstone do after the Publication of these Our Letters Patent and after the Appointment of Our Council for Our said Province in such Manner and form as is prescribed in the Instructions which You will herewith receive in the first place take the Oaths Appointed to be taken by an Act passed in the first Year of the Reign of King George the first Entitled, "An Act for the further Security of His Majesty's person and Government, and the Succession of the Crown in the Heirs of the Late Princess Sophia being Protestants and for the extinguishing the hopes of the pretended Prince of Wales and his open and Secret Abettors," And Also that you make and Subscribe the Declaration Mentioned in An Act of Parliament made in the twenty fifth Year of the Reign of King Charles the Second entitled, "An Act for preventing Dangers which may happen from Popish Recusants;" and Likewise that You take the Oath Usually taken by Governors in other Colonies, for the due Execution of the Office and Trust of Our Captain General and Governor in Chief in and Over Our Province, and for the due and Impartial administration of Justice, and further, that you take the Oath required to be taken by Governors of the Plantations, to do their

Utmost that the Several Laws relating to Trade and the Plantations, be Duly Observed; which Said Oaths and Declaration Our Council of Our said Province or any three of the Members thereof have hereby full Power and Authority and are required to tender and administer to You. All—which being duly performed You shall—Yourself administer unto Each of the Members of Our Said Council and also to the Deputy or Lieutenant Governor of Our said Province (if there shall be any Such) the said Oath Mentioned in the Said Act, Entitled, "An Act for the further Security of His Majesty's Person and Government and the Succession of the Crown in the Heirs of the Late Princess Sophia, being Protestants, and for the extinguishing the hopes of the Pretended Prince of Wales and his open and Secret Abettors;" As Also—cause them to make and Subscribe the aforementioned Declaration and to Administer the usual Oaths for the due execution of their Places and Trusts. And We do further Give and Grant, unto You the Said George Johnstone full Power and Authority from time to time, and at any time hereafter by Yourself or by any other to be Authorized by You in this behalf to Administer and give the Oaths Mentioned in the Said Act for the further Security of His Majesty's Person and Government and the Succession of the Crown in the Heirs of the Late Princess Sophia being Protestants and for extinguishing the hopes of the pretended Prince of Wales and his Open and Secret Abettors, To All and every such Person and Persons as You shall think fit who Shall at any time or times pass into our said Province or shall be Resident or Abiding there; and We do hereby Authorize and Impower You to keep and Use the Publick Seal which Shall be herewith delivered to You or Shall hereafter be sent to You, for Sealing all things whatsoever that Shall pass the Great Seal of Our said Province; And We do hereby Give and Grant unto You the said George Johnstone full Power and Authority with the Advice and Consent of Our said Council to be Appointed as aforesaid so Soon as the Situation and Circumstances of Our Province Under Your Government will admit thereof and when and as often as Need Shall require to Summon and Call General Assembly's of the Freeholders and Planters Within the Province under Your Government in such Manner as You in Your discretion Shall Judge most proper or According to such further Powers, Instructions and Authorities as Shall be at any time Hereafter Granted or Appointed You under Our Signet and Sign manual, or by Our Order in Our Privy Council: And Our

Will and Pleasure is, that the Persons thereupon duly elected by the Major part of the Freeholders of the respective Parishes or Precincts and so returned shall before their Sitting take the Oaths Mentioned in the said Act Intitled "An Act for the further Security of His Majesty's Person & Government and the Succession of the Crown in the Heirs of the late Princess Sophia being Protestants, and for Extinguishing the hopes of the pretended Prince of Wales and his open and secret Abettors:" As Also made and Subscribed and Aforementioned Declaration which Oaths and Declaration You shall Communicate fit Persons under the Publick Seal of that Our Province to tender and administer unto them, & until the Same Shall be So taken and Subscribed no Person Shall be Capable of Sitting though Elected; And We do hereby Declare that the Persons So Elected and Qualified Shall be Called and Deemed the Assembly of Our said Province; And that You the said George Johnstone by and with the Advice and Consent of Our Said Council and Assembly, or the Major part of them, Shall have full Power and Authority to make Constitute and Ordain Laws, Statutes and Ordinances for the publick Peace Welfare and Good Government of Our said Province and of the People and Inhabitants thereof and such other as Shall Resort thereunto And for the Benefit of Us Our Heirs and Successors Which said Laws Statutes and Ordinances are not to be repugnant but as near as may be Agreable the Laws & Statutes of this Our Kingdom of Great Britain, Provided that All Such Laws, Statutes, and Ordinances of what nature or Duration Soever be within three Months or Sooner after the Making thereof Transmitted to Us under Seal of Our Said Province for Our Approbation or Disallowance of the Same as also duplicates thereof by the next Conveyance; And in case any or all of the said Laws, Statutes & Ordinances not before Confirmed by Us shall at any time be disallowed or not Approved, and So Signified by Us Our heirs and Successors under Our or their Signet and Sign Manual or by order of Our or their Privy Council unto You the said George Johnstone or to the Commanders in Chief of Our Said Province for the time being, then Such and So many of the said Laws, Statutes and Ordinances as Shall be Disallowed and not Approved Shall from Thenceforth Cease Determine and become Utterly void and of no Effect, any thing to the Contrary thereof notwithstanding. And to the end that nothing may be passed or done by Our said Council or Assembly to the prejudice of Us, Our heirs and

Successors, We Will and Ordain that You the Said George Johnstone, shall have and enjoy a Negative Voice in the Making and passing of All Laws Statutes and Ordinances as Aforesaid and that You shall and May Likewise from time to time as You Shall Judge Necessary adjourn, prorogue or dissolve all General Assemblies as aforesaid. And we do by these Presents Give and Grant unto You the Said George Johnstone full Power and Authority with the Advice and Consent of Our said Council to Erect Constitute and Establish such and So many Courts of Judicature and Publick Justice within Our Province under Your Government, as You and they Shall think fit and Necessary for the keeping and determining of All Causes as well Criminal as Civil According to Law and Equity, and for awarding Execution thereupon with all reasonable and Necessary Powers, Authorities, Fees and Priviledges belonging thereto, as Also to Appoint and Commissionate fit Persons in the Several parts of Your Government to Administer the Oaths Mentioned in Aforesaid Act; As also to tender and Administer the Aforesaid Declaration to such Persons belonging to the said Courts be Obliged to take the Same; And we do hereby grant unto You full Power and Authority to Constitute and Appoint Judges, and in cases requisit Commissioners of Oyer & Terminers Justices of the peace Sheriffs and other Necessary Officers and Ministers in Our said Province for the better administration of Justice putting the Laws in Execution and to Administer or Cause to be administered unto them Such Oath or Oaths as are Usually Given for the due Execution and Performance of Offices and places and for the Clearing of Truth in Judicial Causes; And we do hereby Give and Grant unto You full Power & Authority Where you shall See Cause or Shall Judge any offender or Offenders in Criminal Matters or for any Fines or forfeitures due unto us, but Objects of Our Mercy to Pardon all such offenders and Remit all such offences, fines forfeitures, Treason & Wilfull Murder only Excepted in which Cases You shall likewise have Power upon extraordinary Occasions to Grant Reprieves to the Offenders Until and to the intent Our Royal Pleasure may be Known therein; And We do by these presents Give and grant unto You full Power and Authority to Collate any Person or Persons to any Churches, Chapels or other Ecclesiastical benefices within Our said Province as often as any of them Shall happed to be Void; And We do hereby Give and Grant Unto You the said George Johnstone by Yourself or by Your Captains and Commanders by You to be Authorized

full Power and Authority to Levy, Arm, Muster, Command and Employ all persons whatsoever residing within our said Province and as Occasion shall serve them, to March, Embark or Transport from one place to Another for the resisting and Withstanding of All Enemies, Pirates and Rebels both at Land and Sea and to transport Such forces to Any of Our Plantations in America if Necessity Shall require for Defence of the Same against the Invasion or Attempts of any of Our Enemies, And such Enemies, Pirates & Rebels (If there Shall be Occasion) to pursue and Prosecute in or out of the Limits of Our said Province and Plantations or any of them and if it Shall So please God them to Vanquish, Apprehend and take and being taken According to Law to put to Death or keep and preserve Alive at Your Discretion and to execute Martial Law in Time of Invasion War or other times when by Law it May be Executed And to do & execute all and every other thing and things which to Our Captain General and Governor in Chief Doth or of Right ought to belong: And We do hereby give and Grant Unto You full power and Authority by and with the Advice and Consent of Our said Council to Erect Raise and Build in Our said Province such and so many Forts, Platforms, Castles, Cities, Boroughs, Towns and Fortifications as You by the advice aforesaid shall Judge Necessary and the Same or any of them to Fortify and Furnish with Ordinance Ammunitions and All Sorts of Arms fit and Necessary for the Security and Defence of Our said province and by the advice aforesaid the Same again or any of them to Demolish or Dismantle as may be Most Convenient; And for as much as divers Mutinies and Disorders may happen by Persons Shipped and Employed at Sea during the time of War and to the End that Such as Shall be Shipped and Employed at Sea during the time of War may be better Governed and Order'd, We do hereby Give and Grant unto You the said George Johnstone full Power and Authority to Constitute and Appoint Captains, Lieutenants, Masters of Ships and other Commanders & Officers and to Grant to Such Captains, Lieutenants, Masters of Ships and other Commanders and Officers Commissions to execute the Law Martial during the time of War According to the Directions of an Act passed in the twenty Second Year of the Reign of Our Late Royal Grandfather, entitled, "An Act for amending, Explaining and Reducing into one Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels and Forces by Sea" And to Use Such Proceedings,

Authorities, Punishments, Corrections and Executions upon any Offender or Offenders who shall be Mutinous, Seditious Disorderly or any way unruly either at Sea or during the time of their Abode or residence in any of the Ports, Harbours or Bays of Our said Province as the Case shall be found to require According to the Martial Law and the Said Directions During the time of War as aforesaid, Provided that Nothing herein Contained Shall be Construed to the enabling you or any by Your Authority to hold Plea or have any Jurisdiction of any Offence, cause, Matter or thing Committed or done Upon the High Sea or Within any of the Havens, Rivers or Creeks of Our said Province Under Your Government by any Captain Commander, Lieutenant, Master Officer, Seaman, Soldier or Person Whatsoever, who shall be in Actual Service and Pay in or on board any of Our Ships of War or other Vessels, Acting by Immediate Commission or Warrant from Our Commissioners for executing the Office of Our High Admiral of Great Britain or from Our High Admiral of Great Britain for the time Being under the Seal of Our Admiralty but that Such Captain Commander, Lieutenant, Master, Officer, Seaman, Soldier or other Person, So Offending shall be left to be proceeded against and Tryed as their Offences Shall require either by Commission Under Our Great Seal of this Kingdom as the Statute of the Twenty Eighth of Henry the Eighth directs or by Commission from Our Said Commissioners for Executing the Office of High Admiral of Great Britain or from Our high Admiral of Great Britain for the time being According to the Aforementioned Act Entitled, "An Act for amending, Explaining and Reducing into one Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels and forces by Sea," And not otherwise Provided nevertheless that All Disorders and Misdemeanors Committed on Shore by Any Captain, Commander, Lieutenant, Master, Officer, Seaman Soldier or other Person whatsoever belonging to any of Our Ships of War or other Vessels Acting by Immediate Commission or Warrant from Our Commissioners for Executing the Office of High Admiral of Great Britain for the time being under the Seal of Our Admiralty may be Tried and Punished According to the Laws of the Place where any such Disorders, Offences and Misdemeanors shall be Committed on Shore Notwithstanding such Offender be in Our Actual Service and Borns in Our Pay on board any Such Our Ships of War or other Vessel acting by Immediate Commission or Warrant from

Our Commissioners, for executing the Office of High Admiral of Great Britain or from Our High Admiral of Great Britain for the time being as aforesaid So as he shall not Receive any Protection for the Avoiding of Justice for such Offences Committed on Shore from any pretence of his being Employed in Our Service at Sea; And Our further Will and Pleasure is that All Public Money's Raised or which Shall be Raised by any Act Hereafter to be Made within Our said Province, be Issued out by Warrant from You, by and with the Advice & Consent of Our Council as aforesaid for the Support of the Government and not otherwise: And We Likewise give and Grant unto You full power and Authority, by and with the advice & Consent of Our said Council to Settle and Agree with the Inhabitants of Our said Province for such Lands, Tenements & Hereditaments as now are or hereafter shall be in Our Power to dispose of and them to grant to any Person or Persons upon such Terms and Under such Moderate Quit Rents Services and Acknowledgements to be thereupon reserved unto Us as You with the Advice Aforesaid Shall think fit, Which Said Grants are to pass and be Sealed by Our Publick Seal of Our Said Province and being entred upon a Record by Such Officer or Officers as Shall be appointed thereunto Shall be Good and Effectual in Law against Us our heirs and Successors, Provided the Same be made Conformable to the Instructions herewith delivered to You or such other Instructions as may be hereafter Sent to You under Our Signet and Sign Manual or by Our Order in Our Privy Council which Instructions or any Articles Contained therein or any such Order made in Our Privy Council so far as the Same shall relate to the Granting of Lands as aforesaid Shall from time to time be published in the Province and entered of Record in Like Manner as the said Grants themselves are hereby directed to be entered; And we do hereby Give You the said George Johnstone full Power and Authority to Order and Appoint Fairs, Marts and Markets, as also such and So Many Ports, Harbours, Bays, Havens and other Places for the Conveniency and Security of Shipping and for the better Loading and Unloading of Goods and Merchandize in Such and So many places as by and with the Advice and Consent of Our said Council shall be thought fit and Necessary: And we do hereby require and Command all Officers and Ministers Civil and Military and All other Inhabitants of Our said Province to be Obedient, Aiding and Assistant Unto You the Said George Johnstone in the Execution of this Our Commission and

of the Powers and Authorities therein contained and in Case of Your Death or Absence from Our said Province to be Obedient, Aiding and Assisting as aforesaid to the Commander in Chief for the time being unto whom we do therefore by these Presents Give and Grant all and Singular the Powers and Authorities herein Granted to be by him Executed and Enjoyed during Our Pleasure or until Your Arrival within Our said Province: And if Upon Your Death or Absence from Our said Province there be no Person Upon the place Commissionated or Appointed by Us to be Our Lieutenant Governor or Commander in Chief of the said Province, Our Will and Pleasure is that the Eldest Councillor who shall be at the time of Your Death or Absence Residing within Our said Province shall take Upon him the administration of the Government of Our said Province and execute Our said Commission and Instructions and the Several Powers and Authorities herein Contained in the Same manner and to All intents and Purposes as other Our Governor or Commander in Chief, Should or Ought to do in Case of Your Absence or Until Your Return or in All Cases until Our further Pleasure be Known therein: And we do hereby Declare, Ordain and Appoint that You the Said George Johnstone shall and may hold, Execute and Enjoy the Office & place of Our Captain General and Governor in Chief in & over Our said Province of WEST FLORIDA with All Its Rights Members and Appurtenances whatsoever as aforesaid together with All and Singular Powers and Authorities hereby Granted unto You for and During our WILL & PLEASURE, IN WITNESS whereof we have Caused those Our Letters to be Made Patent. Witness ourselves at Westminster the Twenty first Day of November in the fourth Year of Our Reign

BY WRIT OF PRIVY SEAL

YORKE YORKE

Recorded at The Treasury Chambers
Whitehall the 2d. Day of December 1763.
Signed F Jomhyns Robert Collins
D Clerk of Council

True Copy Council Chamber
Pensacola Jany 9th 1767
Geo Johnstone.

Pensacola October the 23d. 1764

I do Hereby Certify that the forgoing Fifteen Pages contains an Exact Copy of the Commission granted me by His Majesty the original of which is Signed for Public Inspection at this Place

Geo Johnstone

[Seal of red wax attached.]

Pensacola Octr. 23d 1764

I do hereby Certify that the forgoing fifteen pages Contains an exact Copy of the Commission granted by his Majesty to George Johnstone Esquire, the Original of which is Lying for Public Inspection at this Place

Lockhart Russell
Secry

(COPY) OF A FURTHER COMMISSION TO GEORGE JOHNSTONE ESQ'R— FOR ENLARGING THE PROVINCE OF WEST FLORIDA

GEORGE THE THIRD by the grace of God of Great Britain France & Ireland, King Defender of the faith & so forth— To our Trusty & well beloved George Johnstone Esq'r Greetings Whereas we did by our letters Patent under our Great Seal of Great Britain bearing date at Westminster the Twenty first day of November in the fourth year of our Reign Constitute & appoint you the said George Johnstone to be our Cap't General & Governor in Chief in & over our Province of West Florida in America— bounded to the Southward by the Gulph of Mexico including all Islands within six leagues of the Coast from the River Apalachicola to Lake Ponchartrain to the Westward by the said Lake the Lake Maurepas & the River Mississippi To the Northward by a line Drawn due East from that part of the River Mississippi which lyes in thirty one Degrees North Latitude to the River Apalatchicola or Chatahouchie, & to the Eastward by the said River for & during our Pleasure as by the said recited letters Patent, Relation being their unto had may more fully & at large appear: NOW KNOW YOU That we have Revocked & Determined, & by these Present, do Revoke & determine such part & so much of the Said recited letters Patent & every Clause Article & thing there contained which doth any way relate to, or concern the Limits & Bounds of our said Province

as above describ'd. AND FURTHER KNOW You that we reposing especial trust & confidence in the Prudence, Courage & Loyalty of you the said George Johnstone of Our especial Grace certain Knowledge & Mere Motion have thought fitt to constitute & appoint & by these presents do Constitute & appoint you the said George Johnstone to be our Captain General & Governor in Chief in & over our Province of West Florida in America, bounded to the Southward by the Gulph of Mexico including all Islands within Six Leagues of the Coast from the River Apalachicola to Lake Ponchartrain to the Westward by the Said Lake, The Lake Maurepas & the River Mississippi to the Northward by a line Drawn from the Mouth of the River Yasows where it unites with the Mississippi due East to the River Apalachicola— And We hereby declare, ordain & appoint that you the said George Johnstone shall & may hold execute & enjoy the Office & Place, of our Captain General & Governor in Chief in & over our Province of West Florida Limited & Bounded as above Describ'd together with all & singular the Powers & authority's contained in our said recited letters Patent under our Great Seal of Great Britain bearing date at Westminster the twenty first day of November in the fourth year of our Reign, except as are herein excepted, for & during our will & pleasure. In Witness whereof we have caused these our Letters to be made Patent Witness ourself at Westminster the Sixth day of June in the Fourth year of our Reign.—

By Writt of Privy Seal—

Yorke & Yorke

Council Chamber Pensacola
Jany 9th. 1767
Robert Collins
Dep. Clerk of Council

A True Copy
Geo Johnstone

Pensacola Octobr. 23d— 1764

I do hereby certify that the forgoing three pages contains an exact copy of the further Commission granted me by His Majesty, the Original of which is lying for Public inspection at this Place

Geo Johnstone

[Seal of red wax attached]

Pensacola, Octobr. 23d— 1764

I do hereby certify that the forgoing three pages contains an exact Copy of the further Commission granted by his Majesty to George Johnstone Esq'r the Original of which is lying for public inspection at this Place.

Lockhart Russell
Secy

(COPY)

GEORGE THE THIRD BY THE GRACE OF GOD of Great Britain France & Ireland, King defender of the Faith. To our beloved George Johnstone Esq our Captain General & Governor in Chief in & over our Province of West Florida in America, Greetings, we confiding very much in your fidelity care & circumspection in this Behalf do by these Presents which are to Continue during our pleasure only Constitute & Deputey on the said George Johnstone Esq'r our Captain General & Governor in Chief aforesaid, our Vice Admiral, Commesar & Deputy in the Office of Vice Admiralty in our Province of West Florida aforsaid & territory thereon depending, & in the Maritime parts of the Same, & thereto adjoining, whatsoever, with Power— of taking & Receiving, all & every the Fees, profits, advantages, emoluments Commodities & appurtinances whatsoever due & belonging to the said Office of Vice Admiral, Commessary, & Deputy in our Said Province of West Florida & territory's dependent thereon & maritime parts of the same & adjoining to them whatsoever according to the Ordinances & Statutes of our High Court of Admiralty of England, & we do hereby Committ & Grant unto you the aforsaid George Johnstone Esq'r our Power & Authority in & thru'out our Province of West Florida above mentioned & territorys thereof & Maritime Seashores Publick Streams Ports, Fresh Water, Rivers, Creeks, & Arms as well as of the Sea, as of the Rivers & Coasts whatsoever of our said Province of West Florida & territorys dependent thereon & Maritime parts whatsoever of the Same & thereto adjacent as well within liberties and Franchises as without to take Cognisance of, & Proceed in all Causes, Civil & Maritime, in Complaints, Contracts, Offences, or Suspected Offences, Crimes Pleas, Debts, Exchanges Accounts, Charterparties, Agreements, Suits, trespasses, Injuries Extortions, & Demands, & Businesses Civil & Maritime whatsoever, Commenced or to be Commenced

between, Merchants, or between Owners and Proprietors, of Ships & other Vessels, & Mercht's or others whomsoever, with such Owners & proprietors of Ships & all other Vessels whatsoever, employ'd or Used within the Maritime Jurisdiction of our Vice Admiralty of our Said Province of West Florida & territory Depending on the Same or between any other persons whomsoever, had made, begun or Contracted, for any matter, thing Cause, or Business whatsoever, done or to be done, within our maritime Jurisdiction aforsaid, together with all & singular their Incidents, Emergencies Dependances annexed & Connexed Causes, whatsoever, wheresoever, or howsoever, & Such Causes, Complaints Contracts, and Other the Promises abovesaid or, any of them which may happen to arise be Contracted had or done to hear & determine according to the Rights, Statutes, Laws, Ordinances & Customs Anciently observed, & moreover in all & Singular Complaints, & Contracts Agreements, Causes & Businesses Civil & Maritime to be perform'd beyond the Sea, or Contracted there howsoever arising or happening & also in all & Singular other Causes & matters, which in any Manner whatsoever touch or any way Concern, or anciently have & do, or ought to belong unto the maritime Jurisdiction, of our aforsaid Vice Admiralty, in our said Province of West Florida & Territorys thereon depending & Maritime Parts thereof & to the same adjoining & Generally in all & Singular other Causes Suits, Crimes Offences, Excesses, Injuries, Complaints, Misdeamaners, or Supected Misdemeanors Trespasses, Regretings, Forstallings, & Maritime Businesses whatsoever thro'out the Places aforsaid within the Maritime Jurisdiction of Our Vice Admiralty of our PROVINCE OF WEST FLORIDA aforsaid & Territorys thereon Depending by Sea or Water, or the Banks or Shores of the Same howsovere done, committed perpetrated or hapening, & also to enquire by the Oath of honest & lawfull Men of our Said PROVINCE OF WEST FLORIDA & Territorys dependent thereon, & maratime parts of the Same & adjoining to them whatsoever Dwelling both within Liberties & Franchises & without, as well of all & Singular Such matters & things, which of Right & by the Statutes Laws, Ordinances, & Customs Anciently observed, were wont, & Ought to be enquired after as of Wreck of the Sea, & of all & Singular the Goods & Chattels of whatsoever Traitors, Pirates, Manslaughters and Fellons, however offending within the Maritime Jurisdiction of our Vice Admirlty of our PROV-

INCE OF WEST FLORIDA aforementioned & Territorys thereunto belonging, & of the Goods, Chatles & Debts of all & Singular these mantainers, Accessories, Counsillers, Abeters, or Assistants whomsoever, & also of the Goods Debts & Chatles of Whatsoever Person, or Persons, Fellons of themselves, by what means or howsoever coming to their Death, within Our Aforsaid Maritime Jurisdiction, wheresoever any Such Goods, Debts, Chatles of, or any Parcell thereof, by Sea Water, or Land in our Said PROVINCE OF WEST FLORIDA & Territorys thereon Dependent & Maritime part of the Same & thereto Adjacent, whatsoever, as well within Liberties & Franchises, as without, have been or shall be Found, forfited or to be forfited, or in being,— And Moreover as well of the Goods, Debts, & Chatles, of whatsoever other Traitors, Fellons & Manslayers wheresoever offending & of the Goods, Debts & Chatles of their Mantainers Accessaries, Counsellors, Abatters, or Assistants, or of the Goods, Debts, & Chatles of all Fugeatives, Persons Convinced, attainted, Condemn'd, outlawed, or howsoever, put or to be put in exigent, for Treason, Fellon, Manslaughter or Murder, or any other Crime or Offence whatsoever, & also concerning GOODS waving FLOTZON-JETZON, LARZON SHARES, & TREASURES found or to be found & DEODANDS & of the Goods of all others whatsoever, Taken or to be Taken as Derelict or by Chance, Found or to be Found or soever due or to be due, & of all other Casualties as well in, upon, or by the Sea, & Shores, Creeks, or Coasts of the Sea, or Maratime parts, as in or by all Fresh waters, Ports, Publick Streams, Rivers or Creeks or places over flown & whatsoever within the ebbing & Flowing of the Sea, or highwater, or upon the Shores, or Banks, or any of the same within our Maritime Jurisdiction aforesaid howsoever, whensoever, or by what means Soever arrising, hapening or proceeding, or wheresoever Such Goods, Debts, & Chatles, or other the Premisses, or any part thereof, may or shall hapen to be mett with, or found, within our Maritime Jurisdiction aforsaid, & also containing Anchorage, Lastage & Ballast of Ships, & of Fishes Royal, namely STURGEONS, WHALES, PORPUSSES, DOLPHINS, THIGGS, & GRAMPUSSES, generally of all other Fishes whatsoever, which are of a great or very large Bulk, or Fatness, anciently by Right or Custom or any way appurtaining or belonging to us, & to ask, Require, Levy, take, Collect, Receive & obtain, & to the use of us & the Office of Our High Admiral

of Great Britain aforesaid for the time being to keep & present, the said Wreck of the Sea & the Goods, Debts & Chatles, & all & Singular other the Premises, together with all manner of fines, Mulcks, Issues, Forfeitures, Amercements, Ransoms, & Recognisances whatsoever forfited or to be forfited, & pecuniary punishments for trespasses, Crimes, Injuries, Extortions, Contempts, & other Misdeamaners whatsoever howsoever impos'd or inflicted or to be Impose'd or inflicted for any Matter, Cause or thing whatsoever, in our said PROVINCE OF WEST FLORIDA or Territorys thereunto belonging & Maritime parts of the same & thereunto adjoining, in any Court or, Our Admirlty there held, or to be held, presented or to be presented, assessd, brought, Forfitted, or adjuged, & also all amercements, Issues, Fines perquisites Mulks, & Pecuniary punishments whatsoever & forfeitures of all manner of Recognisances, before you or your Lieutenant Deputy or Deputies, in our said PROVINCE OF WEST FLORIDA & Territory's thereunto belonging & Maritime parts of the Same & thereto Adjacent whatsoever, hapening or imposed or to be imposed, or Inflicted, or by any means assessed, presented, forfited, or adjuged, or howsoever by Reason of the Premises, due or to be due in that behalf of us, or Our Heirs & Successors & further to take all manner of Recognisances, Cautions, obligations, & Stipulations as well to Our Use, as at the Instance of any Parties, for Agrements or Debts & other Causes whatsoever, & to put the same in execution, & to Cause & Command them to be executed, & also to Arrest, & command to be arrested, according to the Civil & Maritime Laws, & ancient Customs of our said Courts, all Ships persons things, Goods, Wares, & Merchandizes, for the premises & every of them, & for other causes whatsoever, concerning the same, whatsoever they shall be mett, with, or found thro'out our said PROVINCE OF WEST FLORIDA & TERRITORYS thereunto belonging, & Maritime parts thereof & thereto adjoining within Liberties & Franchises, as without, & likewise for all other agreements, Causes, or Debts howsoever Contracted or arising, so that the Goods or the Persons of the Debtors may be found, within our Jurisdiction's aforesaid, & to hear Examine, discuss & finaly determine the Same, with their Emergencies, dependances Incidents Annex'd & Connex'd, causes & businesses whatsoever together with all other causes Civil & Maritime & Complaints, Contracts, & all & every the respective premises what-

soever above express'd, according to the Laws & Customs aforesaid, & by all other lawfull ways, Means, & Methods according to your best skill & knowledge, & to Compell all Manner of persons in that behalf as the Case may require, to appear & to Answer, with power of using any temporal Correction, & of inflicting any other Penalty or Mulk according to the Laws & Customs aforesaid, & to do & Minister Justice according to the right order & Course of the Law, Summeraly, & plainly looking only into the truth of the fact, & to fine, Correct, punish, Chastize & Reform & Imprison, & cause, & command to be imprisoned, in any Gaols being within our Province of West Florida aforesaid, & Territorys thereunto belonging the parties guilty & the Contemmers of the Law & Jurisdiction of our Admiralty aforesaid, & Violators, Usurpers, Delinquents, & Contumacious Absenters, Masters of Ships, Mariners, Rowers, Fishermen, Shipwrights, & other workmen & artificers whatsoever exercising any kind of Maritime affairs according to the Rights Statuetes, Laws, Ordenances & Customs anciently observed, & to deliver & absolutely discharge, & Cause, & Command to be discharged whatsoever persons imprisoned in Such Cases, who' are to be delivered, & to preserve, & cause to be preserved, the Publick Streams, Ports, Rivers, Freshwaters, & Creeks whatsoever within our maritime Jurisdiction aforesaid, in What place soever they be in our Province of West Florida aforesaid, & Territorys thereto belonging, & Maritime parts of the same, & thereto adjacent whatsoever, as well for the preservation of our Navy Royal, & of the effects, & Vessels of our Kingdoms & Dominions aforesaid as of whatsoever fishes increasing in the Rivers & places aforesaid, & also to keep & Cause to be executed & kept in our said Province of West Florida & Territorys thereunto belonging, & Maritime parts thereof, & thereto Adjacent, whatsoever the Rights, Statutes, Laws, Ordenances & Customs anciently observed & to do, exercise, expedite & execute all & singular other things in the Premises & every of them, as they by right & according to the Laws & Statutes, Ordenances & Customs aforesaid should be done, & moreover to reform Nets too Close & other unlawfull Engines, or Instruments whatsoever for the Catching of fishes whensoever by Sea, publick Streams, Ports, Rivers, freshwaters or Creeks whatsoever throughout our Province of West Florida aforesaid & territorys dependant

thereon, & Maritime parts of the same & thereunto adjacent, used or exercised by Water within our Maritime Jurisdiction aforesaid wheresoever, & to punish & Correct, the Exercises, & Occupiers thereof, according to the Statutes, Laws, Ordenances, & Customs aforesaid, & to pronounce, promulge, & Interpose all Manner of Sentences & Decrees & to put the Same in Execution, with Cognisance & Jurisdiction or whatsoever other Causes Civil & Maritime which Relate to the Sea, or which any manner of Way's respect or Concern the Sea, or passage over the same, or Naval or Maritime Voyages, or our said Maritime Jurisdiction or the places of limits of our said Admiralty & Cognisance aforementioned, & all other things done or to be done with power also to proceed in the same according to the Statutes, Ordenances & Customs aforesaid anciently used as well, of, meer office mixt, or promoted as at the Instance of any party as the Case shall require & seem Convenient, & likewise with Cognesance & dission of Wreck of the Sea great or small, and of the Death, Drowning, & view of dead bodies of all persons howsoever killed or Drown'd, or Murthered, or which shall hapen to be Kill'd Drowned or Murtherd or by any other means come to there Death in the Sea, or Publick streams, Ports, Freshwaters, or Creeks whatsoever within the flowing of the Sea & high water mark, throughout our aforesaid Province of West Florida & Territorys thereunto belonging, & Maritime parts of the Same & thereto Adjacent or elsewhere within our Maritime Jurisdiction aforesaid together with the Cognisance Mayhem in the aforesaid places, within our Maritime Jurisdiction aforesaid & flowing of the Sea & Water there hapning with power also of punishing all Delinquents in that kind according to the Exegencies of the Law & Customs aforesaid & to do exercise, expedite, & execute all & Singular other things within & about the Premises, only shall be necessary or thought meet according to the Rights, Statutes, Laws, Ordenances & Customs aforesaid, with power of Deputing, & Surrogating in your place for the Premises one or more Deputy or Deputies as often as you shall think fitt, & also with power from time to time of naming, appointing, ordaining, Assigning, making & Constituting whatsoever other Necessary Fitt & Convenient Officers, & Ministers under you for the said Office & execution thereof in our said Province of West Florida & Territorys thereunto belonging, & Maritime

parts of the Same & thereunto adjacent whatsoever (saving alwise the Right of our High Court of Admiralty in England & also of the Judge, & Registrar of the said Court, from whom, or either of them, it is not our Intention, in any thing to Derrogate by these presents & saving to every one, who' shall be wrong'd or grieved by any definitive Sentence or Interlocutory decree which shall be given in the Vice Admiralty Court of Our Province of West Florida aforesaid & Territorys thereunto belonging the Right of appealing to our aforesaid High Court of Admiralty of England Provided never the Less, & under this express Condition, that if you the aforesaid George Johnstone our Captain Gen'l & Governor in Chief aforesaid, shall not yearly (towit) at the end of every year between the feast of St. Michael and Archangel, & all saints duely certyfying & causes to be effectually Certyfyed (if you shall be thereunto required) to us, & our Lieutenant Official, Principal & Commessary General, & Special & Judge, & President of the High Court of our Admiralty of England aforesaid all that, which from time, to time, by virtue of these presents you shall do execute, Collect or receive in the premises or any of them together with your full & faithfull Account thereupon to be made in an Authentick form, & Seald with the Seal of our Office remaining in your Custody that from thence & after default therein these our letters Patent of the Office of Vice Admiral aforesaid as above granted shall be null & void, & of no force, or effect. Further we do in our Name Command all & singular of our Governors, Justices, Mayors, Sheriffs, Captains, Marshalls, Bailifs, Keepers of all our Gaols & prisons, Constables, & all other our Officers & faithfull & Liege Subjects whatsoever, & every of them as well within the Liberties & Franchises as without, that in & about the execution of the Premises & every of them they be aiding & assisting favouring, Submissive & Held obedient in all things as is fiting to you the aforesaid George Johnstone our Captain General & Governor in Chief of our Province of West Florida aforesaid, & to your Deputy whomsoever, & to all other Officers (by you apointed or to be apointed) of our said Vice Admiralty in our said Province of West Florida aforsaid & Territorys thereunto belonging & Maritime parts of the same & thereunto adjoining, under Pain of the Law & the Peril which will fall thereon— Given in London in the High Court of our Admiralty of

England aforesaid, under the Great Seal thereof The Twenty second day of February in the year of our Lord, One thousand Seven hundred & Sixty four, & of our Reign the fourth.—

Geo:e Lee Farrant
Registrar

Council Chamber
January 9th. 1767 A True Copy
Robert Collins
D Clerk of Council

Geo Johnstone

Pensacola Octo'r 23d 1764

I do hereby Certify that the foregoing Six pages is an exact Copy of the Commission granted me by His Majesty thro' his High Court of Admiralty, the original of which is lying for Publick inspection at this Place—

Geo Johnstone

[Seal of red wax attached.]

Pensacola Octobr. 23d. 1767

I do hereby certify that the forgoing Six pages contains an exact Copy of the Commission granted by his Majesty thro' his High Court of Admiralty to George Johnstone Esq'r— the Original of which is lying for Public inspection at this Place—

Lockhart Russell
Secy

In Testimony that the foregoing Pages *No 27* contain an Exact Copy of the Several Commissions Granted to His Excellency Governor Johnstone as Captain General and Governor in Chief in and over His Majesty Province of West Florida, and also as Vice Admiral of said Province, I have caused the Broad Seal of the Province to be appended thereto.

Geo Johnstone

Council Chamber
Pensacola the 9th. of January 1767
Certified by Robert Collins
D Clerk of Council

ORDERS & INSTRUCTIONS TO GEORGE JOHNSTONE ESQR GOVERNOR OF WEST FLORIDA

George R.

Orders and Instructions To our Trusty & Well beloved George Johnstone Esq'r Our Captain General and Governor in Chief in and over Our Province of West Florida in America, and of all other our Territories dependent thereupon; In pursuance of Several Laws relating to the Trade and Navigation of this Our kingdom of Great Britain, and Our Colonies and Plantations in America, Given at our Court at St. James the Seventh Day of December 1763 in the Fourth year of our Reign. First You shall inform yourself of the principal Laws relating to the Plantation Trade, Viz: "An Act for encouraging and increasing of Shipping and Navigation", Made in the Twelfth year of the Reign of King Charles the Second; "An Act for preventing Frauds and regulating Abuses in the Customs," Made in the Thirteenth & Fourteenth year of the Said Kings Reign; "An Act for the Encouragement of Trade," Made in the fifteenth Year of the Said Kings Reign: "An Act to prevent planting of Tobacco in England, and for regulating the plantation Trade;" made in the twenty Second & twenty third year of the Said King's Reign; "An Act for the Incouragement of the Greenland and Eastland Trades, and better securing the Plantation Trade;" made in the twenty fifth year of the Said Kings Reign; "An Act for preventing Frauds & regulating abuses in the Plantation Trade;" Made in the Seventh & eighth Years of the Reign of King William the Third; "An Act for the encrease and Encouragement of Seamen," Made in the Same Year of the Said Kings Reign; "An Act to enforce the Act for the increase and Encouragement of Seamen;" Made in the eighth Year of the Said Kings Reign; "An Act for raising a Sum not exceeding two Millions &ca. And for settling the Trade to the East Indies," made in the Ninth & tenth Years of the Said Kings Reign; "An Act to prevent the Exportation of Wool out of Ireland And England into Foreign parts, and for the Encouragement of the Woolen Manufacture in the Kingdom of England," Made in the tenth & Eleventh years of the Said Kings Reign; "An Act to Encourage the Trade of Newfoundland," Made in the Same year of the Said Kings Reign; "An Act for the more effectual Suppression of Piracy;" made in the eleventh & twelfth years of the Said

Kings Reign, "An Act to punish Governors of Planations in this Kingdom for Crimes by them committed in the Plantations;" Made in the same years of the said Kings Reign; "An Act for Granting a fuller Subsidy on Wines and Merchandises Imported;" Made in the Third and Fourth Years of the Reign of Queen Anne; "An Act to permit the Exportation of Irish Linen Cloth to the Plantations, &ca." made in the Same Year of the Said Queens Reign; "An Act for encouraging the Importation of Naval Stores from Her Majesty's Plantations in America;" made in the Same Years of the Said Queen's Reign; "An Act for An Union of the two Kingdoms of England & Scotland;" made in the fifth year of the Said Queen's Reign; "An Act for ascertaining the Rates of Foreign Coins in Her Majesty's Plantations in America;" made in the sixth Year of the Said Queen's Reign; "An Act for the Encouragement of the Trade to America;" Made in the Same Year of the Said Queen's Reign; "An Act for continuing Several Impositions &ca. And to Limit a time for prosecution Upon Certain Bonds, called in the Act Plantation Bonds;" made in the Eighth year of the Said Queen's Reign; "An Act for the Encouragement of the Trade to America;" Made in the ninth Year of the Said Queen's Reign; "An Act for the relief of merchants importing Prize Goods from America;" Made in the tenth year of the Said Queen's Reign; "An Act for the further preventing Robbery Burglery and other Felonies &ca. and for declaring the Law upon Some Points relating to Pirates;" made in the fourth Year of the Reign of King George the First; "An Act against clandestine running of uncustomed Goods, and for the more effectual preventing of Frauds relating to the Customs;" made in the fifth Year of the Said King's Reign; "An Act for the better Securing the Lawfull Trade of his Majesty's Subjects to and from the East Indies, and for the More Effectual Preventing All his Majesty's Subjects trading thither under Foreign Commissions;" made in the Same Year of the Said King's Reign; "An Act for the further preventing His Majesty's Subjects from trading to the East Indies under foreign Commissions, and for encouraging and further Securing the Lawfull trade thereto;" made in the Seventh year of the Said Kings Reign; "An Act for giving further encouragement for the Importation of Naval Stores, and for other purposes therein Mentioned;" made in the eighth year of the Said Kings Reign; "An Act for the Encouragement of the Silk Manufacture of this Kingdom &ca. and

for Importation of all Furrs of the Products of the British Plantations into this Kingdom only &ca." made in the Same Year of the Said Kings Reign; "An Act to prevent the Clandestine Running of Goods &ca. and to Subject Copper Ore of the Production of the British Plantations to Such Regulations as other enumerated Commodities of the Like Production are Subject to," made in the Same Year of the Said Kings Reign; "An Act for the more effectual Suppression of Piracy," made in the same year of the Said King's Reign; "An Act encouraging the Greenland Fishery;" Made in the Tenth Year of the Said Kings Reign; "An Act for repealing the Duties laid upon Snuff, &ca. and for giving a further encouragement to the Greenland Fishery," made in the Twelfth year of the Said Kings Reign; "An Act to revive the Laws therein Mentioned, &ca. for Making Copper Ore of the British Plantations, an enumerated Commodity, for making perpetual an Act therein Mentioned for Suppression of Piracy &ca." made in the Second year of the Reign of our Late Royal Grandfather; "An Act for the better preservation of His Majesty's Woods in America And for the Importation of Naval Stores from thence; &ca." made in the Same Year of his Said late Majesty's Reign; "An Act for reducing the Annuity or Fund for the United East India Company, and for ascertaining their Right of Trade to the East Indies," made in the Same Year of his Said late Majesty's Reign; "An Act for importing from His Majesty's Plantations in America directly into Ireland Goods not enumerated in any Act of Parliament;" made in the fourth year of His Said late Majesty's Reign; "An Act for granting an Allowance upon the Exportation of British made Gunpowder," made in the Same Year of His Said late Majesty's Reign; "An Act for further encouraging the Manufacture of British Sail Cloth, by taking off the Duties and Drawbacks therein Mentioned, and allowing an additional Bounty &ca." made in the same year of his said Late Majesty's Reign; "An Act for the more easy Recovery of Debts in His Majesty's Plantations & Colonies in America," made in the Fifth year of his Said late Majesty's Reign; "An Act to prevent the exportation of Hatts out of any of His Majesty's colonies or Plantations in America; and to restrain the Number of Apprentices taken by Hatt Makers in the Said Colonies or Plantations, and for the better encouraging the Making Hatts in Great Britain," Made in the Same Year of His Said Late Majesty's Reign; "An Act for encouraging the

Growth of Coffee in His Majesty's Plantations in America," Made in the Same Year of His Said Late Majesty's Reign; "An Act for encouraging the Greenland Fishery;" Made in the Same Year of his Said Late Majesty's Reign, "An Act for reviving an Act of 5th of Geo: 1st. for better securing the lawful Trade of His Majesty's Subjects to and from the East Indies &ca;" made in the Same Year of His said late Majesty's Reign; "An Act for the further Encouragement of the Whale Fishery;" made in the Sixth Year of His Said late Majesty's Reign; "An Act for Encouraging & Regulating the Manufacture of British Sail Cloth &ca." made in the Ninth Year of His Said late Majesty's Reign; "An Act for Laying a Duty upon Apples imported and for Continuing An Act past in the 4th. Year of His Present Majesty's Reign for Granting an Allowance Upon the exportation of British made Gunpowder and for taking off the Drawback upon Exportation of Foreign Paper and for better securing the payment of the Bounty upon the Exportation of British-made Sail Cloth;" made in the tenth year of His Said late Majesty's Reign; "An Act to continue the Several Acts therein Mentioned one for encouraging the Growth of Coffee in His Majesty's Plantations in America, And the other for the better securing & encouraging the Trade of His Majesty's Colonies in America;" Made in the Seventh Year of His Said Late Majesty's Reign; "An Act for taking off the Dutys upon Woolen & Bay Yarn Imported from Ireland to England, and for the more effectual preventing the Exportation of Wool from Great Britain and of Wool Manufactured from Ireland to foreign parts;" made in the twelfth Year of His said late Majesty's Reign; "An Act for Granting a Liberty to carry Sugars of the Growth, Produce or Manufacture of any of His Majesty's Sugar Colonies in America, for the Said Colonies directly to foreign parts in Ships built in Great Britain and navigated according to Law;" made in the Same Year of His Said late Majesty's Reign; "An Act to rectify a mistake in an "Act made in the Sixth Year of the Reign of His late Majesty King George the first for preventing Frauds &c to Obviate a doubt which had arisen upon an Act made in the Seventh Year of His Majesty's Reign; for the further preventing His Majesty's Subjects from trading to the East Indies under Foreign Commissions &ca;" made in the same Year of His Said late Majesty's Reign; "An Act to continue Several Laws therein Mentioned & ca. and for better securing the lawful

Trade of His Majesty's Subjects to and from the East Indies &ca." made in the same Year of His said late Majesty's Reign; "An Act for the better Supply of Marines & Seamen to serve in his Majesty's Ships of War and on board Merchants Ships and other trading Ships & Privateers;" made in the thirteenth Year of His Said late Majesty's Reign; "An Act for the more effectual securing and encouraging the Trade of His Majesty's British Subjects to America, and for the encouragement of Seamen to enter into His Majesty's Service;" made in the same Year of His said late Majesty's Reign; "An Act for continuing the Several Laws therein mentioned relating to the Premiums upon the Importation of Masts, Yards and Bowsprits, Tar, Pitch, and Turpentine, to British-made Sail Cloth and the Duties payable on foreign made Sail Cloth to the Greenland and to the Whale Fishery, and for granting a further Bounty &ca. &ca." made in the Same Year of His Said Late Majesty's Reign; "An Act for naturalizing such foreign Protestants and others therein Mentioned as are Settled or shall Settle in any of His Majesty's Colonies in America;" made in the same Year of His said late Majesty's Reign; "An Act for restraining & preventing Several unwarrantable Schemes and Undertakings in His Majesty's Colonies and Plantations in America;" made in the fourteenth Year of His said late Majesty's Reign; "An Act for the Encouragement and Increase, & for the better & speedier manning His Majesty's Fleets;" made in the same Year of His said late Majesty's Reign; "An Act to revive several Acts &ca. &ca. and for extending the Liberty Given by the Act of the 12th. Year of the Reign of His present Majesty for carrying Sugar of the growth of the British Sugar Colonies in America &ca. to Ships belonging to any of His Majesty's Subjects residing in Great Britain, and Navigated according to Law &ca. &ca." made in the fifteenth year of His Said late Majesty's Reign; "An Act for further regulating the Plantation Trade &ca," made in the same Year of His said late Majesty's Reign; "An Act to continue several Laws for the encouragement for the making of Sail Cloth in Great Britain;" made in the Same Year of His said late Majesty's Reign; "An Act for continuing Several Laws relating to the Exportation of British-made Gunpowder to the Importation of Naval Stores from the British Colonies in America &ca." made in the Sixteenth Year of His Said late Majesty's Reign; "An Act to Continue the Several Laws therein mentioned

for preventing Theft & Raping &ca. And for Granting a Liberty to carry Sugar of the Growth, produce or Manufacture of any of His Majesty's Sugar Colonies in America, for the Said Colonies directly to Foreign parts &ca." made in the Seventeenth Year of His Said late Majesty's Reign; "An Act for the better Encouragement of Seamen in his Majesty's Service, and Privateers to annoy the Enemy," made in the Same Year of His Said late Majesty's Reign; "An Act for giving a publick Reward to Such Person or Persons— His Majesty's Subject or Subjects as Shall discover a North West passage through Hudsons Straights to the Western & Southern Ocean of America;" made in the eighteenth Year of His said late Majesty's Reign; "An Act to amend an Act made in the eleventh year of the Reign of King William the Third, intitled An Act for the more effectual Suppression of Piracy;" made in the same Year of His said late Majesty's Reign; "An Act to Continue two Acts of Parliament, one for encouraging the Growth of Coffee in His Majesty's Plantations in America, and the other for the better securing & encouraging the Trade of His Majesty's Sugar Colonies in America;" made in the nineteenth Year of His said late Majesty's Reign; "An Act for the more effectual securing the Duties now payable on Foreign made Sail Cloth imported into this Kingdom and for charging all foreign made Sails with a Duty, and for Explaining a doubt concerning Ships being obliged at their first setting out to Sea to be furnished with one Compleat Set of sails made of British Sail Cloth;" made in the Same Year of His said late Majesty's Reign; "An Act for the better encouragement of the Trade of His Majesty's Sugar Colonies in America," made in the same Year of His said late Majesty's Reign; "An Act for the better securing the payment of Shares of prizes taken from the Enemy to the Royal Hospital at Greenwich, and for preventing the Embezzelment of Goods & Stores belonging to the Said Hospital;" made in the twentieth Year of his Said late Majesty's Reign; "An Act to extend the provision of An Act made in the 13th Year of His present Majesty's Reign, entitled an Act for naturalizing Such foreign Protestants and others therein mentioned as are settled or shall settle in any of His Majesty's Colonies in America, to other foreign Protestants who conscientiously scruple the taking of an Oath," made in the Same Year of His Said Late Majesty's Reign; "An Act to Continue Several Laws for Pro-

hibiting the Importation of Books reprinted abroad &ca. and for better securing the lawfull Trade of His Majesty's Subjects to and from the East Indies &ca." made in the same Year of His said late Majesty's Reign; "An Act to continue Several Laws relating to the Manufactures of Sail Cloth and Silk, and to give further time for the Payment of Duties omitted to be paid for the Indentures of Contracts of Clerks & Apprentices &ca. &ca." made in the same Year of His late Majesty's Reign; "An Act to Continue several Laws &ca. relating to Rice, to Frauds in the Customs &ca. and to Copper Ore of the British &ca." made in the same year of His said late Majesty's Reign; "An Act for further regulating the proceedings upon Courts Martial in the Sea Service; and for extending the Discipline of the Navy to the Crews of His Majesty's Ships Wrecked, lost or taken; and for continuing to them their Wages upon certain Conditions," made in the twenty first Year of His said late Majesty's Reign; "An Act for permitting Tea to be exported to Ireland and His Majesty's Plantations in America, without paying the inland Duties charged thereupon by an Act of the 18th Year of His present Majesty's Reign &ca." made in the same Year of His said late Majesty's Reign; "An Act for the encouraging the making of Indigo in the British Plantations in America;" made in the Same Year of His said late Majesty's Reign, "An Act to continue and amend Several Laws for relief of Debtors &ca. and to rectify a mistake in an Act passed in the last Session of Parliament for continuing Several Laws therein Mentioned &ca." made in the same Year of His said late Majesty's Reign; "An Act for encouraging the people known by the Name of United Fratrum of United Brethren, to Settle in His Majesties Colonies in America;" made in the twenty second Year of His said Late Majesty's Reign; "An Act for Amending, Explaining and reducing into one Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels and Forces by Sea;" made in the same Year of His Said late Majesty's Reign; "An Act for the further Encouragement and Enlargement of the Whale Fishery, and for continuing such Laws as are therein mentioned relating thereto, and for the naturalization of Such foreign Protestants as Shall serve for the time therein Mentioned on board such Ships as shall be fitted out for the Fishery," made in the same Year of His said late Majesty's Reign; "An Act for encouraging the Growth and culture of Raw Silk

in His Majesty's Colonies or Plantations in America;" made in the twenty third year of His said late Majesty's Reign; "An Act to encourage the Importation of Pig & Bar Iron from His Majesty's Colonies in America, and to prevent the Erection of any Mill or other Engine for slitting or rolling of Iron, or any Plateing Forge to work with a Tilt Hammer, or any Furnace for making Steel in any of the Said Colonies," made in the same Year of His said late Majesty's Reign; "An Act for regulating the Commencement of the Year, and for Correcting the Calendar now in Use," made in the twenty fourth Year of His said late Majesty's Reign; "An Act for the more effectual Securing the Duties upon Tobacco," made in the same Year of his said late Majesty's Reign; "An Act for encouraging the making of Pott Ashes and Pearl Ashes in the British Plantations in America," made in the same Year of his said late Majesty's Reign; "An Act for continuing Several Laws therein mentioned relating to the Premiums upon the Importation of Masts, Yards & Bowsprits, Tar, Pitch & Turpentine, to British made Sail Cloth and the Duties payable on foreign Sail Cloth, and the Allowance upon the Exportation of British made Gunpowder," made in the same Year of His said late Majesty's Reign; "An Act to continue several Laws therein mentioned, & for granting a Liberty to carry Sugar of the Growth, Produce or Manufacture of any of His Majesty's Sugar Colonies in America from the Said Colonies directly into foreign Parts in Ships built in Great Britain and Navigated according to Law &ca. &ca." made in the same Year of His Said Late Majesty's Reign; "An Act for avoiding and putting an end to certain doubts and Questions relating to the Attention of Will & Codicils concerning real Estates in that Part of Great Britain called England, and in His Majesty's Colonies & Plantations in America," made in the twenty fifth Year of His said late Majesty's Reign, "An Act to restrain the making Insurances on Foreign Ships bound to or from the East Indies," made in the same Year of His said late Majesty's Reign; "An Act to amend An Act made in the last Session of Parliament intitled an Act for regulating the Commencement of the Year, and for correcting the Calendar now in Use," made in the same Year of His said late Majesty's Reign; "An Act for continuing the Act for encouraging the Growth of Coffee in His Majesty's Plantations in America, and Also for continuing under certain Regulations so much of an Act as re-

lates to the Premiums upon the Importation of Masts, Yards & Bowsprits, Tar, Pitch & Turpentine," made in the same Year of His said late Majesty's Reign; "An Act for continuing Several Laws relating to the Punishment of Persons going armed or disguised in defiance of the Laws of Customs or Excise &ca. &ca. and for encouraging the Trade of the Sugar Colonies in America, &ca. &ca." made in the 26th Year of His said late Majesty's Reign. All which Laws you will herewith receive, and You Shall take a Solemn Oath to do Your Utmost, that All the Clauses, Matters and things contained in the before recited Acts and in All other Acts of Parliament now in force, or that hereafter Shall be made relating to Our Colonies or Plantations be Punctualy and bona fide observed according to the true Intent & meaning thereof.

2d. And as by the aforesaid Act made in the Seventh and eighth Year of King William the Third the Officers appointed for performance of certain things mentioned in the aforesaid Act for the encouragement of Trade commonly known by the name of the Naval Officers, are to give Security to the Commissioners of Our Customs in Great Britain for the time being or such as Shall be appointed by them for Our Use for the true and faithful Performance of their Duty, You shall take care that the Said Naval Officers do give such security to the said Commissioners of Our Customs or the Surveyor General of the Customs for the Southern District, who is empowered to take the same in the manner thereby enjoined; and that he or they produce to you a Certificate from them of his or her having Security pursuant to a Clause in the said Act, and you are not to admit any person to act as Naval Officer, who does not within two months or as soon as conveniently may be, after he has entered Upon the Execution of his Office, produce a Certificate of his having Given Such Security as aforesaid.

3d. And whereas it is necessary for the more Effectual dispatch of Merchants and others, that the Naval Officers and the Collectors of the Customs Should reside at the Same Ports, or Towns, You are therefore to take care, that this Regulation be observed, and to Consult with the Surveyor General of Our Customs in what place it may be most Convenient to have the Custom House fix'd in each part of his District, and to take

Care that the Collectors and Naval Officers reside within & Convenient distance of the Custom House for the dispatch of Business.

4th. Whereas by the said Act of Navigation no Goods or Commodities whatsoever are to be imported into or exported out of any of our Colonies or Plantations, in any other Ships or Vessels Whatsoever but in Such as do truly & without Fraud belong only to our People of Great Britain or Ireland, or are of the Built of and belonging to any of Our Lands, Islands or Territories as the Proprietors and right Owners thereof, and whereof the Master & three fourths of the Mariners at least are British, under the Penalty of the Forfeiture and Loss of All the Goods & Commodities which Shall be imported into or exported out of any of the Said Places in any other Ship or Vessel, as Also of the Ship or Vessel, With her Guns, Furniture &ca. And whereas by a Clause in the Aforesaid Act of Frauds no foreign built Ship, that is to Say not built in any of Our Dominions of Asia, Africa or America, Shall enjoy the Privilage of a Ship belonging to Great Britain or Ireland, altho' owned and manned by British Subjects, (except Such Ships only as Shall be taken at Sea by letters of Mark or Reprizal, and Condemnation thereof made in our Court of Admiralty as Lawful Prizes) but All Such Ships Shall be deemed as Aliens Ships, and be liable to all Duties that Aliens Ships are liable to by virtue of the aforesaid Act for the encouraging and encreasing of Shipping and Navigation; And Whereas by a Clause in the aforesaid Act for preventing Frauds and regulating Abuses in the Plantation Trade, it is enacted that no Goods or Merchandize whatsoever Shall be imported into or Exported out of any of Our Colonies or Plantations in Asia, Africa or America, or shall be laden in or carried from any one Port or Place in the said Colonies or Plantations, to any other Port or Place in the Same, or to Our Kingdom of Great Britain in any Ship or Bottom, but what is or shall be of the Built of Great Britain or Ireland or of the said Colonies or Plantations and wholly owned by the People thereof or any of them, and Navigated with the Master and three fourths of the Mariners of the said places only, (except such Ships only as Shall be taken Prizes, and Condemnation thereof made in one of the Courts of Admiralty in Great Britain, Ireland or the said Plantations, to be navigated by the Master and three fourths of the Mariners British or of the said Planta-

tions as aforesaid and hereof the property doth belong to British Subjects) on pain of Forfeiture of Ship & Goods; And whereas by another Clause in the said Act for the more effectual Prevention of Frauds, which may be Used by Colouring Foreign Ships under British Names, it is further enacted that no Ship or Vessel whatsoever shall be deemed or pass as a Ship of the Built of Great Britain, Ireland, Guernsey, Jersey or any other of Our Plantations in America, So as to be qualified to Trade to, from or in any of the said Plantations, until the Person or Persons claiming property in Such Ship or Vessel shall register the same in manner thereby appointed; You Shall take care and give in Charge, that these matters and things be duly Observed Within Our said Province under Your Government, according to the true Intent and Meaning of the said Acts and the Offences and Offenders prosecuted According to the Directions thereof; and where it is required that the Master and three fourths of the Mariners be British, You are to Understand that the true Intent and meaning thereof is, that they shall be such during the whole Voyage, unless in case of Sickness, Death or being taken Prisoners in the Voyage to be proved by the Oath of the Master or other chief Officer of the Ship; and none but Our Subjects of Great Britain, Ireland or the Plantations are to be accounted British.

5th. Whereas by the said act of Navigation as the same Stands amended and Altered by the aforesaid Act for regulating the Plantation Trade, it is enacted, that for every Ship or Vessel which shall so sail out of or from Great Britain for any British Plantation in America, Asia or Africa, sufficient Bond shall be given with one Surety to the Chief Officer of the Customs of such Port or Place, from whence the said Ship shall set sail, to the Value of £1000 if the Ship be of less Burthen than one hundred Tons, and of the Sum of £2000, if the Ship shall be of Greater Burthen, that in case the said Ship or Vessel shall load any of the Commodities therein enumerated, viz. Sugar, Tobacco, Cotton, Wool, Indigo, Ginger, Fustick or other Dying Wood of the Growth, Production or Manufacture of any British Plantation in America, Asia, or Africa, at any of the said British Plantations, the said Commodities Shall by the Said Ships be brought to Some Port of Great Britain, and be there unloaden and put on shore, the danger of the Sea only excepted, and for All Ships coming from Any Port or Place to any of the aforesaid Plantations, which by this Act are permitted

to trade there, that the Governors of Such British Plantations shall before the Said Ship or Vessel be permitted to load on board any of the said Commodities, take Bond in the Manner and to the Value aforesaid, for each respective Ship or Vessel, that Such Ship or Vessel shall carry all the aforesaid Goods that shall be laden on board the said Ship or Vessel, to Some other of the said British Plantations or to Great Britain, and that every Ship or Vessel which shall load or take on Board any of the aforesaid Goods, untill such Bond be given to the said Governor, or Certificate produced from the Officers of any Custom House of Great Britain, that Such Bond hath been there duly Given, shall be forfeited with her Guns, Tackle, Apparel and Furniture, to be employed and recovered as therein is directed; And whereas by the two afore Mentioned Acts passed in the 3d. & 4th. Years of Queen Anne, the one, entitled "An Act for granting to Her Majesty a further Subsidy on wines and Merchandises imported," and the other, "An Act for encouraging the Importation of Naval Stores from Her Majesty's Plantations in America;" and by two other aforementioned Acts passed in the Eighth Year of the Reign of King George the first, the one, entitled, "An Act for encouragement of the Silk manufactures of this Kingdom, and for taking off Several duties on Merchandizes exported, and for reducing the Duties upon Beaver Skins, Pepper, Mace, Cloves, & Nutmeg imported, and for Importation of All Furs of the Product of the British Plantations, into this Kingdom only," the Other, entitled, "An Act to prevent the clandestine running of Goods, &ca. and to Subject Copper Ore of the Production of the British Plantations to such Regulations as other enumerated Commodities of the like Production are Subject," continued by an Act past in the eighth Year of His said late Majesty's Reign, and Still in force, All Rice (except under the Regulations prescribed in the before mention'd Acts of the 3d. and 8th. Years of His Late Majesty's Reign;) Melasses, Furs, Hemp, Pitch, Tar, Turpentine, Masts, Yards, Bowsprits, and Copper Ore are under the like Securities & Penalties restrained to be imported into this Kingdom as the above other mentioned enumerated Commodities; You are therefore to take particular care, and give the necessary Directions, that the true Intent & meaning of all the Said Acts be Strictly and duly Complied with.

6th. You shall carefully examine all Certificates which shall be brought to you of Ships giving Security in this Kingdom, to

bring their lading of Plantation Goods hither, as also certificates of having discharged their Ladings of Plantation Goods, in this Kingdom pursuant to their Securities, and whereas the better to prevent any of the aforesaid Certificates from being counterfeited, the Commissioners of our Customs have thought for to Sign the Same. It is therefore Our Will & Pleasure that no such Certificates be Allowed of, unless the same be under the hands & Seals of the Customer, Collector and Comptroller of the Customs in Some part of this Kingdom, or two of them, as Also under the Hands of four of Our Commissioners of the Customs at London, or three of our Commissioners of the Customs at Edinburgh, and where there Shall be reasonable Ground for Suspicion, that the Certificate of having Given Security in this Kingdom is false and Counterfeit, in such Case, You, or the Person or Persons appointed under You shall require, and take Sufficient Security for the discharge of the Plantation Loading in this Kingdom; And where there Shall be cause to Suspect, that the Certificate of having discharged the Lading of Plantation Goods in this Kingdom is false and Counterfeit, You Shall not Cancel or vacate the Security given in the Plantations until you shall be informed from the Commissioners of Our Customs in Great Britain, that the matter of the said Certificate is true; and if any Person or Persons shall Counterfeit, raze or falsify any such Certificate for any Vessel or Goods, or Shall knowingly or willingly make use thereof, You shall prosecute such Person for the forfeiture of the Sum of five hundred pounds, according to a Clause of the aforesaid Act for preventing Frauds and regulating abuses in the Plantation Trade, And pursuant to the Said Act You shall take care, that in All Such Bonds to be hereafter Given or taken in the Province under your Government, the Sureties therein named be Persons of known residence and Ability there for the Value mentioned in the said Bonds, and that the Condition of the Said Bonds be within eighteen months after the date thereof (the Dangers of the Seas excepted) to produce a Certificate of having Landed and discharged the Goods therein mentioned in one of Our Plantations, or in this Kingdom, otherwise to Attest the Copy of such Bonds under your hand and Seal, and to cause Prosecution thereof; And it is Our further Will and Pleasure, that You do give Directions to the Naval Officer or Officers not to admit any person to the Security for another, who had Bonds Standing out undischarged, unless he be esteem'd responsible for more than the Value of Such Bonds.

7th. And you are also to give Directions to the said Naval Officer or Officers to advise with the Collector of the Port or District in taking Bonds, and not to admit any person to be security in any Plantation Bond, until approved by the said Collector. And whereas lists of all Certificates granted in South Britain for the discharge of Bonds given in the Plantations, are every quarter sent to the Collectors of the Districts, where such Bonds are given, the said Naval Officer or Officers is, or are, to take care that no Bond be discharged or cancell'd by him or them without first advising with the Collector, and examining the said List to see that the Certificate is not forged or Counterfeited: And whereas the Surveyors General of Our Customs in America are directed to examine from time to time whether the Plantation Bonds be duly and regularly discharged, you are to give Directions, that the Surveyor General for the Southern District be permitted to have recourse to the Said Bonds, as well as the Book or Books in which they are, or ought to be entered, and to examine as well whether due Entry thereof be made, as whether they are regularly taken and discharged, and where it shall appear that Bonds are not regularly discharged you are to Order that Such Bonds be put in Suit.

8th. You are to understand, that the payment of the Rates and Duties imposed by the aforesaid Act, for the Encouragement of the Greenland & Eastland Trades and for the better securing the Plantation Trade, on the several Plantations Commodities therein enumerated, doth not give Liberty to carry the said Goods to any other Place than to Some of Our Plantations, or to Great Britain only; And that notwithstanding the payment, of the said Duties, Bond must be given to Carry the said Goods to some of the said Plantations, or to Great Britain, and to no other place.

9th. You shall, every three months or oftener or otherwise as there shall be Opportunity of Conveyance transmit to the Commissioners of Our Treasury or Our High Treasurer for the time being, to Our Commissioners for Trade & Plantations, and to the Commissioners of Our Customs in London, a List of all Ships & Vessels trading in the said Province, according to the form and Specimen hereunto annexed, together with a List of the Bonds taken pursuant to the Act passed in the 22d. & 23d. Years of King Charles the 2d.s Reign, entitled, "An Act to prevent planting Tobacco in England and for regulating the Plantation Trade;"

and you shall cause demand to be made of every Master at his clearing of an Invoice of the Contents and Quality of his Loading &ca. according to the Form hereunto also annexed, and to inclose a Copy thereof by some other Ship, or for want of such Opportunity, by the same Ship under Cover, Sealed and directed to the Commissioners of Our Treasury or our High Treasurer for the time being to Our Commissioners for Trade & Plantations, and to the Commissioners of Our Customs in London, and send another Copy of the said Invoice in the like manner to Collector of that Port in this Kingdom for the time being, to which Ships shall be said to be bound.

10th. Whereas by the aforesaid Act for the Encouragement of Trade, no Commodities of the Growth Production or Manufacture of Europe except Salt for the Fishery of New England and Newfoundland, Wines of the growth of Madeiras, or Western Islands or Azores, Servants and Horses from Ireland and All sorts of Victuals of the Growth and Production of Ireland, and salt to the Provinces of Pennsylvania and New York in pursuance of two Acts the one passed in the thirteenth Year of the Reign of King George the first and the other in the third Year of his Late Majesty's Reign, shall be imported into any of Our Colonies or Plantations, but what shall be bona fide, and Without Fraud, taken and Ship'd in Great Britain, and in Ship duly qualified; You shall use your Utmost Endeavour for the due observance thereof, and if contrary hereunto, any Ship or Vessel shall import into Our said Province under your Government, any Commodities of the Growth, Production or Manufacture of Europe, but what are before excepted of which due proof shall not be made that the same were Shipt or laden in Some Port of Great Britain by producing Cocquets or Certificates under the Hands and Seals of the Officers of Our Customs in such Port or Place where the same were laden, such Ship or Vessel, and Goods Shall be forfeited; and you are to give charge that the same be seized and presented accordingly.

11th. And in order to prevent the Acceptance of forged Cocquets or Certificates, which hath been practiced to Our great Prejudice, you are to give effectual orders that for all such European Goods as by the said Act are to be Shipp'd and laden in Great Britain, Cocquets for the same from hence be produced to the Collectors or other Officers of Our Customs in the aforesaid Province under Your Government for the time being, before

the Unloading thereof, and you shall give orders, that no European Goods be landed but by Warrant from the said Collector in the presence of an Officer appointed by him; And for the better prevention of Frauds of this kind, you shall take care that according to the said Act of Trade, no Ship or Vessel shall be permitted to Lode or unlode any Goods or Commodities whatsoever, until the Master or Commander thereof shall first have made known to You or such Officer, or other Person as shall be thereunto authorized and appointed, the arrival of Such Ship or Vessel, with her name and the Name and Sir-name of the Master, and hath Shewn that she is a Ship duly navigated and otherwise qualified according to Law, and hath deliver'd to you, or such other Person, as aforesaid, a true and perfect Inventory of her Lading, together with the Place or Places, in Which the Said Goods were Laden, and taken into the said Ship or Vessel, under Forfeiture of such Ships and Goods.

12th. You shall not make or Allow of any Laws, By-Laws, Usages or Customs in Our said Province under Your Government, which are repugnant to the laws here in before mentioned, or any of them, or to any other Law already made or hereafter to be made in this Kingdom, so far as such Laws relate to, and mention the said Plantations, but You shall declare all such Laws, by-Laws Usages or Customs in Our said Province under your Government which are any wise repugnant to the Said Laws or any of them, to be illegal, null and void to All Intents and Purposes whatsoever.

13th. You shall be aiding and Assisting to the Collectors and other Officers of Our Admiralty and Customs appointed, or that Shall hereafter be appointed by the Commissioners of our Customs in this Kingdom, by and under the Authority and Direction of the Commissioners of Our Treasury or the High Treasurer of Great Britain for the time being, or by Our High Admiral, or Commissioners for executing the Office of High Admiral of Great Britain for the time being, in putting in execution the Several Acts of Parliaments before mentioned, and you Shall cause due Prosecution of All such Persons as Shall any ways hinder or resist any of the said Officers of Our Admiralty or Customs in the Performance of their Duty; It is Likewise Our Will and Pleasure, and you are hereby required by the first Opportunity to move the Assembly of Our said Province, that they provide for the expence of Making Copies for the Surveyor General of Our Customs in

Our said Province for the time being, of All Acts and Papers which bear any relation to the Duty of his office; And in the mean time you are to give Orders, that the said Surveyor General for the time being, as aforesaid, be Allowed a free Inspection in the Publick Offices within Your Government, of All such Acts and papers without paying any fee or Reward for the Same.

14th. Whereas the Commissioners Appointed for Collecting the Six pence per Month from Seamen's Wages for Our Royal Hospital at Greenwich, Pursuant to an Act of Parliament passed in the Second Year of His late Majesty's Reign intitled, "An Act for the more effectual collecting in Great Britain and Ireland, and other parts of His Majesty's Dominions, the Duties granted for the support of the Royal Hospital at Greenwich," have given Instructions to their Receivers in foreign Parts for their Government therein; It is therefore Our Will and Pleasure, that You be Aiding and Assisting to the said Receivers in Your Government in the due Execution of their Trusts.

15th. And whereas by an Act passed in the Sixth Year of His said late Majesty's Reign Entitled An Act for the better securing and encouraging "the Trade of His Majesty's Sugar Colonies in America a Duty is laid on All Rum, Melasses, Syrups, Sugar and Paneles of the produce and Manufacture of any of the Plantations not in Our Possession, or Under Our Dominion, which shall be imported into any of Our Colonies or Plantations, Notwithstanding which We are informed, that great quantities of foreign Rum, Melasses, Syrops, Sugar and Paneles are clandestinely landed in Our Plantations, without Payment of the said Duty; Our Will and Pleasure is, that you be aiding and Assisting to the Collectors and other Officers of Our Customs in Your Government, in collecting the said Duties and seizing All such Goods as Shall be so clandestinely landed or put on Shore, without paying of the Duty; And you shall cause due Prosecution of all such Rum, Melasses, Syrops, Sugar and Paneles, as Shall be Seized for non payment of the Duty, as well as the Persons aiding or Assisting in such unlawful Importation, or that Shall hinder, resist or Molest the Officers in the Due Execution of the Said Law.

16th. You shall take Care, that upon any Actions, Suits and Informations that shall be brought, Commenced or entered in Our said Province under Your Government upon any Law or Statute concerning Our Duties, or Ships, or Goods to be forfeited by reason

of any unlawful Importations or Exportations, there be not any Jury but of such as are Natives of Great Britain or Ireland, or are born in any of Our said Plantations.

17th. You shall take care that All places of Trust in the Courts of Law or in what relates to the Treasury of Our said Province under Your Government be in the Hands of Our native born Subjects of Great Britain or Ireland, or the Plantations.

18th. And that there may be no interruption in matters of Prosecution and Execution of Justice in Our Courts of Judicature within Our said Province under Your Government by the Death or Removal of any of Our Officers employed therein, untill we can be advised thereof, and appoint others to succeed in their Places, you shall make Choice of Persons of known Loyalty, Experience, Diligence and Fidelity to be Employed for the purposes aforesaid, untill you shall have Our Approbation of them or the nomination of others from hence.

19th. You shall from time to time Correspond with the Commissioners of Our Customs in London for the time being, and advise them of All Failures, Neglects, Frauds and Misdemeanors of any of the Officers of Our Customs in Our said Province under Your Government, and shall also advise them, as occasion shall offer, of All occurrences necessary for their information, relating either to the aforesaid Laws of Trade & Navigation, or to Our Revenue of Customs and other Duties under their Management both in Great Britain and the Plantations.

20th. If you shall discover, that any persons or their Assigns claiming any Right or Property in any Island or Tract of Land in America by Charter or by Letters Patent who shall at any time hereafter alien, sell or dispose of such Island, Tract of Land or Property other than to our natural born Subjects of Great Britain without the Licence or Consent of Us, Our Heirs or Successors, Signified by Our or their Order in Council first had and obtained, you shall give notice hereof to Us and to Our Commissioners of Our Treasury, or Our High Treasurer of Great Britain for the time being.

21. Whereas by the aforesaid Act for preventing frauds and regulating Abuses in the Plantation Trade it is provided, for the more effectual prevention of Frauds which may be used to elude

the Intention of the Said Act, by colouring foreign Ships under British Names, that no Ship or Vessel Shall be deemed or pass as a Ship of the Built of Great Britain or Ireland, Guernsey, Jersey or any other of Our Plantations untill the person or persons claiming property in Such Ships or Vessel shall register the same in manner thereby directed. You shall take care that no foreign built Ship be permitted to pass as a Ship belonging to Our Kingdom of Great Britain or Ireland untill proof be made upon Oath of one or more of the Owners of the Said Ship before the Collector or Comptroller of Our Customs in Such Port, to which she belongs or upon like proof before Yourself with the Principal Officer of Our Revenue residing in Our foresaid Province under Your Government if such Ship Shall belong to the Said Province; Which Oath you and the Officer of Our Customs respectively are authorized to administer in manner thereby directed, and being Attested by You and them so administering the Same and Registered in due form according to the Specimen here under annexed. You shall not fail immediately to transmit a Duplicate thereof to the Commissioners of Our Customs in London in order to be entered in a General Register to be there kept for that Purpose, with Penalty upon every Ship or Vessel trading to, from, or in any of our said Plantations in America, as aforesaid, and not having made proof of her Built and property, as by the forementioned Act is directed, that She shall be liable to such prosecution and forfeiture as any foreign Ship (except Prizes Condemned in Our High Court of Admiralty) would for Trading with our Plantations by the said law be liable unto, with this Proviso, that All such Ships, as have been or shall be taken at Sea by Letters of Mark or Reprizal and Condemnation thereof made in Our High Court of Admiralty as Lawful Prizes Shall be Specially registered mentioning the Capture and condemnation instead of the time and Place of building, with proof also upon Oath, that the intire property is British, before any such Prize be Allowed the privilege of a British built Ship, according to the meaning of the said Act; and that the Ships name registered be afterwards changed without Registering such Ship de novo, which, by the said Act is required to be done upon any transfer of Property to another Port, and delivering up the former Certificate to be Cancelled, under the same Penalties and in like method, and in case of any Alteration of Property in the Same Port by the Sale of one or more shares in any Ship after Registering thereof,

Such sale Shall Always be acknowledged by endorsement on the Certificate of Register, before two Witnesses, in order to prove that the entire property in Such Ship remains to Some of Our Subjects of Great Britain, if any dispute shall arise concerning the Same.

22d. Whereas by the Act past in the 21st. Year of His Late Majesty's Reign, for the encouraging the making of Indigo in the British Plantations in America, a premium of Six pence per Pound is Allowed on the importation of Indigo, of the Growth of the British Plantations; and there are likewise contained in the Said Act several Provisions to prevent Frauds by Importing foreign Plantation-made Indigo, or any false Mixtures in what is made in the British Plantations, with a View to recover the said Premium; It is therefore Our Will and Pleasure, that, if there now are or hereafter shall be any Plantation of Indigo within Our said Province under Your Government, you do take particular care, that the said Provisions be duly and punctually complyed with, and do likewise from time to time transmit to Our Commissioners for Trade and Plantations, in order to be laid before Us, an Account of All such Plantations of Indigo, with the name of the Planters and the quantity of Indigo they make; as also the quantity of such Indigo exported from the said Province, distinguishing the time when exported and the Port where Shipp'd, the names of the Vessels and the Port to which Bound; and if there be any foreign Indigo imported into the said Province, It is Our further Will & Pleasure, that you do in like manner transmit an Account of such foreign Indigo imported, distinguishing the time when and the place from whence imported, together with an Account of such foreign Indigo exported, and the port where Shipped, the Names of the Vessels and the Ports to which Bound.

23. Whereas by the Act passed in the tenth Year of the Reign of King William the third to prevent the exportation of Wool out of the Kingdoms of Ireland and England into Foreign parts, and for Encouragement of the Woolen Manufactures in the Kingdom of England, It is amongst other things therein enacted, that no Wool, Woolfells, Shortlings, Mortlings, Wool-flocks, Worsted, Bag or Woolen Yarn, Cloth, Serges, Bags, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shallons or any other Drapery Stuffs or Woolen Manufactures whatsoever made or mixed

with Wool or Wool-flocks, being of the product or manufacture of any of the British Plantations in America, Shall be laden or Laid on board in any Ship or Vessel in any Place or Port within any of the said British Plantations upon any pretence whatsoever; As also that no such Wool or other the said Commodities, being of the Produce or Manufacture of any of the said British Plantations, shall loaden upon any Horse, Cart or other Carriage, to the intent and purpose to be exported, transported, carried or Conveyed out of the said British Plantations to any of Our Plantations, or to any other place whatsoever, upon the same, and Like pains, Penalties and forfeitures to and upon all the Offenders therein within All and every of Our said British Plantations respectively, as are provided & prescribed by the said Act for the like offences committeed within our Kingdom of Ireland: You are to take effectual care, that the true intent and meaning thereof, so far forth as it relates to You, be duly put in execution.

24. In the Act made in the 24th Year of his late Majesty's Reign for the more effectually securing the Duties upon Tobacco, there is a Clause to prevent Frauds in the Transportation of Bulk Tobacco, enacting that no Tobacco Shall be imported into this Kingdom, otherwise than in Cask, Chest or Case, containing four Hundred and fifty pounds weight of Tobacco each, under Penalty of Forfeiture thereof. You shall take care that this part of the said Act be made publick, that none may pretend ignorance, and that the true Intent and Meaning thereof be duly put in Execution within your Government.

25. And whereas His Majesty, King George the First, was informed, that a Clandestine Trade had been carried on, as well by British as Foreign Ships, from Madagascar and other parts beyond the Cape of Bona Esperanza, within the Limits of Trade, granted to the United East India Company, Directly to Our Plantations in America, to the great detriment of these Realms and in break of several Laws in force relating to Trade and Navigation; Our Will and Pleasure is, that You the said George Johnstone, or in your absence the Commander in chief of Our said Province of West Florida for the time being, do duly and strictly observe and cause to be observed the several good Laws and Statutes now in Force for the regulating of Trade and Navigation, particularly the Several Acts of Parliament already men-

tioned in Your General and in these Instructions: And in Order to the better Execution of the Laws and Statutes above mentioned, upon the first notice of the Arrival of any Ship or Ships within the limits of any Port of or belonging to Your Government, which have or are suspected to have on board any Negroes, Goods or Commodities of the Growth, Produce or Manufacture of the East Indies, Madagascar, or any other Parts or Places beyond the Cape of Bona Esperanza within the Limits of Trade granted to the United East India Company pursuant to the aforementioned Act of the Ninth and tenth of King William, you shall immediately cause the Officers of Our Customs in your Government, (and any other Officers or Persons in aid of them) to go on board such ship or ships, and to Visit the same, and to examine the Masters or other Commanders, the Officers and Sailors on board such Ship or Ships, and their Charter parties, Invoices, Cocquets and other Credentials, Testimonials, or Documents; and if they find, that such Ship or Ships come from the East Indies, Madagascar or any other Parts or Places beyond the Cape of Bona Esperanza within the Limits of Trade granted to the said United East India Company, and that there are on board any such Goods, Commodities or Negroes, as is above Mentioned, that they do give notice to the Master or other Person having then the command of such Ship or Ships forwith to depart out of the Limits of Your Government without giving them any relief, Support, Aid, or Assistance, Altho it Should be pretended that Such Ship or Ships were, or the same Should really be in distress, Waste, Disability, Danger of Sinking, or for or Upon any other reason or pretence whatsoever; and that you Our Governor or Commander in Chief do by no means suffer any Goods, Merchandize or Negroes from on board such Ship or Ships to be landed or brought on Shore upon any Account or excuse whatsoever. And it is Our further Will and Pleasure, that if any such Ship or Ships being foreign, having on board any such goods, Merchandize or Negroes do not, upon notice given to the Master or other person having the Command thereof, as soon as conveniently may be, depart out of the limits of Your Government and from the coasts thereof, without landing, selling or bartering any of the said Goods or Negroes, You Our Governor or the Commander in Chief for the time being, Shall Cause the said Ship or Ships, and Goods and Negroes to be Seized and Proceeded against According to Law: But if such Ship or Ships having such Goods or

Negroes on board, and entering into any Port or Place or coming upon any of the Coasts or Shores of Our said Province Under Your Government, do belong to Our Subjects, and do break Bulk, or Sell, Barter Exchange or otherwise dispose of the said Goods or Negroes or any part thereof, Contrary to Law; you are to take care, that such Ship or Ships with the Guns, Tackle, Apparel and Furniture thereof, and All Goods and Merchandize laden there upon, and the Proceed and Effects of the same be immediately Seized; and that the Laws in such case made & provided be put in Execution with the greatest care, Dilligence and Application: But if any Ships belonging to the Subjects of any foreign State or Potentate having on board any Negroes or East India Commodities, shall be actually bound to some Place or Port in the West Indies, belonging to any foreign Prince or State, from some European Port, and such ship shall happen to be driven in by necessity and be in real Distress, the same may be Supplyed with what is absolutely necessary for her relief. But you shall not take, have or receive any Negroes or other the said East India Commodities in payment or satisfaction for such Relief; that if any Officer of Our Customs or other Officer employed by You Our Governor, or Commander in chief, in visiting, searching or seizing Such Ship or Ships, Goods, Merchandize or Negroes, be corrupt, negligent or remiss in the discharge of his Duty therein, We do hereby require you to suspend him from the execution of his said Office; and that you do by the first opportunity send an Account of such Officer's behaviour to Our Commissioners for Trade & Plantations that care may be taken, that such Officer may be removed from his Employment, and further punished according to his demerit. And Our further Will and Pleasure is, that You Our Governor, or Commander in chief do Constantly, from time to time and by the first Opportunity that Shall offer, send to Our Commissioners for Trade and Plantations true, full and exact Accounts of Your Proceedings, and of All other Transactions and occurences in or about the Premises, or any of them, in order to be laid before Us.

26. And whereas notwithstanding the many Good Laws made from time to time for preventing of Frauds in the Plantation Trade which have been enumerated, in these and former Instructions, it is manifest that very great abuses have been and continue still to be Practised to the prejudice of the same, which

Abuse must Needs arise either from the Insolvency of persons who are accepted for Security, or from the Remissness or Connivance of such as have been or are Governors in the Several Plantations, who ought to take care, that those persons who give Bond Should be duly prosecuted, in cases of non performance; You are to take notice, that We take the Good of Our Plantations and the Improvement of the Trade thereof, by a Strict and Punctual Observance of the Several Laws in force concerning the same, to be of so Great Importance to the benefit of this Kingdom and to the advancing the Duty of Our Customs here, that if We shall hereafter be informed that at any time there shall be any Failure in the due observance of those Laws and of these present Instructions by any Wilfull fault of neglect on Your part, We shall esteem such Neglect to be a breach of the aforesaid Laws; and it is Our fixed and determined Will and Resolution, that you or the Commanders in chief respectively be for such Offence not only immediately Removed from Your Employments and be liable to the Fine of one thousand Pounds, as likewise suffer such other Fines, Forfeitures, Pains and Penalties as are inflicted by the several Laws and now in forece relating thereto, but shall always receive the most rigorous marks of Our Highest Displeasure, and be prosecuted with the Utmost Severity of Law for Your Offence against Us in a matter of this Consequence that We now so particularly charge you with.

Council Chamber.
Pensacola the 9th. January 1767
Robert Collins D Clerk of Council

A True Copy

Geo. Johnstone

Information Required on West Florida Commerce

West Florida—A List of Ships and Vessels which have entered inwards in the Port of (blank) in the Province of West Florida between the (blank) Day of (blank) and the (blank) Day of (blank) following being the Quarter ended at (blank) with particular Quantity and Quality of the loading of each Vessel: Time of Entry; Ship's Name; Master's Name; Built; Number of Tons, Guns, Men; When and Where Built; When and Where Registered; Owners Names; General Cargoe (N B The

particular Quantity & Quality of the Loading must be Mentioned under these Columns); From Whence; Where & When Bond given.

West Florida—A list of Such Ships and Vessels which have cleared outwards at the Port of (blank) in the Province of West Florida between the (blank) Day of (blank) and the (blank) day of (blank) following, being the Quarter ended at (blank) with the particular Quantity and Quality of Loading of each Vessel: Time of Clearing; Ship's Name; Master's Name; Built; Number of Tons, Guns, Men; Where & When Built; Where & When Register'd; Owners Names; General Cargoe (N B The particular quantity & Quality of the Loading must be mentioned under the Columns); Whither Bound; Where & When Bond given.*

For the register of Prize Ships, the Capture and Condemnation, must be also Specially mentioned instead of the Time and place of Building. Lists of all Ships trading to and from the Plantations or from one Plantation to another to be prepared quarterly by all Collectors after the Customs, and Naval Officers in the respective Plantations, in order to be transmitted by you to the Lord High Treasurer, or Lord Commissioners of the Treasury for the time being, to the Lords Commissioners for Trade and Plantations, and to the Commissioners of His Majesty's Customs at London by the first Opportunity of Shipping every Quarter.**

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* The information listed above this point is tabulated on blank forms for the purpose, but the information called for at the top of each column has been listed as above to conserve space.

** These instructions are entered at the foot of the regular blank forms, as mentioned in the preceding footnote.

THE GARDEN OF FRAY ANTONIO DE SEDELLA*

Edited by STANLEY FAYE

The superintendent of endowment[1] of the Holy Cathedral Church of the provinces of Louisiana and the Two Floridas [now] under the agency of the commissioners[2] whom Your Majesty has appointed for delivery of this province to the commissioner[3] or commissioners of the French Republic who may present themselves authorized with full powers of their government in conformity to the royal certificate of retrocession[4] that Your Majesty was pleased to issue in the year 1802 last passed and other and subsequent royal provisions: with due respect and submission will set forth to Your Majesty that in the year 1745 past, when this province belonged to His Christian Majesty, a transfer was made in legal form, by the Governor and intendant who at that time were governing Louisiana of a plot of land fronting one hundred and ten French linear feet[5] on the Place d'Armes of this city, three hundred on St. Anne's Street and one hundred and fifty-four on Royal. On these grounds, and therefore near to the holy church, was erected a building that served as residence for the missionary fathers of the order of Capuchins, who had in charge the spiritual guidance of this parish and that of all the province. Most of the grounds was used as a garden for the aforesaid fathers.

When Louisiana passed to the domination of Your Majesty's father by the treaty of cession of the year 1763 the aforesaid missionaries remained in undisturbed possession of the aforemen-

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* Translated from Archivo General de Indias, Papeles de Cuba, Legajo 2368, Morales to the King, New Orleans, September 30, 1803.

[1] Antonio Morales, writer of this letter, was a brother of Juan Ventura Morales, the acting intendant. The latter was trustee for the sixteen little frame houses that Governor Bernardo de Gálvez built in 1776-77 on the river-front of the plaza as endowment for the Ursuline convent.—Archivo General de Indias, Audiencia de Santo Domingo, Legajo 86-6-16, Miró to Sonora, March 24, 1787.

[2] Governor Manuel Juan de Salcedo and former Governor Santiago Calvo de la Puerta y O'Farrill, Marqués de Casa Calvo.

[3] Pierre-Clément Laussat, who had reached Louisiana in March to be colonial prefet, was appointed French commissioner for the transfer by certificate by Bonaparte, 17 Prairial 11 (June 6, 1803).—French National Archives, AE, Etats-Unis, sup., 28:220, Zacharie to Pichon, March 25, 1803; AGI, Papeles de Cuba, Legajo 2368, Someruelos to Salcedo, December 10, 1803.

[4] AGI PdeC, Legajo 2368, Casa Calvo and Salcedo to Dupare, May 26, 1803, enclosure.

[5] The French foot was equal to less than thirteen inches English.

tioned grounds and of the building that stood there, as if they were their own property. The grounds were known in this city as the grounds of the priest house.

In the year 1784, consequently upon a royal order of the previous year 1783, Your Majesty directed that the property that they[6] owned in this city and in the province should be sold and that its proceeds should go into the Royal Treasury. This was done with a plantation known by the name of the Métairie, land in this city, live stock and slaves, which the missionary fathers owned as common property for all those of their religion.

At the same time Your Majesty took care to increase the contribution that you made to them from the Royal Treasury. This in addition to the offerings or altarfoot income of their charge gave them means to live in ordinary dignity and the comfort that was suitable to the status of Capuchin friars that they professed.

Notwithstanding the royal decision abovementioned the intendant who was in this province in the year 1784[7] took no action whatever, and I am not aware that there was any discussion as to whether the grounds of the presbytery should be sold. In them remained the house with the name of pastorate, and the fathers lived in it until the year 1788, when it was destroyed in the fire that swept over this city in the month of March of the aforesaid year. Then each one of the friars found lodgings at his own expense in the place that best suited him until Your Majesty in response to their request directed that a house in which they should live should be paid for out of the Royal Treasury;[8] and the grounds of the presbytery remained completely unoccupied.

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[6] Spanish Capuchin pastors had come to Louisiana in 1780 in succession to the French Capuchins.

[7] Martín Navarro, sent to Louisiana in 1765 as subordinate officer, was colonial treasurer and later acting intendant and on December 9, 1780, received his permanent commission and assumed authority as accredited intendant.—AGI, PdeC, Legajo 2357, Croix to Ulloa, July 7, 1765; AdeSD, Legajo 87-1-19, Navarro to Josef de Gálvez, December 16, 1780.

[8] After the fire of March 21, 1788, Andrés Almonaster y Roxas offered to build first a temporary and later a permanent church and presbytery.—AGI, AdeSD, Legajo 86-6-8, Miró to Valdés, April 1, 1788. Instead the new guardhouse in the plaza, only partly burned, was repaired and used as a temporary church; two other houses in the plaza, each twenty feet square, were likewise made available. The temporary church was destroyed by fire on December 8, 1794. The permanent church, of which Almonaster had laid the cornerstone in 1789, was dedicated on December 23, 1794, and occupied on the following day.—AGI, AdeSD, Legajo 14, Foronda statement, Madrid, January 14, 1796, Legajo 86-5-22, Almonaster to the King, September 8, 1785, and enclosure, Bishop Cirilo to the King, August 22, 1789, and Consejo de las Indias, minutes, December 22, 1797. Bishop Cirilo had asked the king to use secularized church funds for building a house for the priests, but Almonaster undertook the construction. At the time of Almonaster's death, April 25, 1797, the new presbytery was not yet finished. The widowed Señora Almonaster asked to be relieved of obligation to complete the building, and the royal government enlarged it intending it to serve as the episcopal palace.—AGI, AdeSD, Legajo 86-5-22, Bishop Cirilo to the King, August 22, 1789, Legajo 87-4, papeles por agregar, Consejo to the King, May 9, 1801; Legajo 14, Foronda statement, enclosure, Consejo, minutes, November 29, 1797.

The parish church also was destroyed by the aforesaid fire, and in it a considerable number of pews that had been there from time immemorial and that were rented out annually to yield proceeds for supporting the divine cult. The reverend father and pastor Fray Antonio de Sedella, ecclesiastical judge of this province, directed in agreement with the governor and viceregal trustee, Don Estevan Miró, that any resident who wished to build a dwelling in the grounds that had served as garden to the priest house might do so and that after a time he should pay for it a proportionate rental, which should serve for maintaining the cult in the provisional church that was established, in place of what the pews had yielded in the one that had been burned. The aforesaid governor reported this arrangement to Your Majesty, who were pleased to approve it by your royal order communicated to this government by the secretary of state and of justice under date of March 23, 1791.

In the aforesaid condition the grounds of the garden of the pastorate house remained, improved with several small frame buildings poorly constructed and occupied by poor residents, who contributed all together and each for himself according to the piece of land that he occupied a monthly rental that helped to meet the expenses arising in the parish.

To take possession of this holy church came its first bishop, the Most Illustrious Señor Don Luis de Peñalver y Cárdenas, which was in the year 1795 past. As soon as this most worthy prelate had made inspection[9] of his church and taken note of its small income he zealously instituted several projects for maintenance of the cult with some dignity, and among other things he used income of the church for building in the aforementioned grounds two one-story houses of brick roofed with tiles, which are at the corner one of Royal Street and St. Anne's and the other, of Orleans and Royal. These places are valuable because of their location, since they are in the center of the city, and they produce fairly large rentals.

Between the two houses remained vacant ground fronting eighty-two feet and four inches on Royal Street and sixty-six in depth. On this His Most Illustrious Lordship, before leaving to occupy the archepiscopal see of Guatemala,[10] to which Your Maj-

[9] The inspection was begun July 29, 1795.—AGI, AdeSD, Legajo 87-4, papeles por agregar, Echevarría to the King, April 23, 1794, enclosure, Luis (de Peñalver) to the King, March 7, 1796.

[10] Dr. Peñalver left New Orleans in the autumn of 1800, remained one year in Spain, and in the city of Guatemala on July 26, 1802, took possession of his archdiocese.—AGI, AdeSD, Legajo 87-4, papeles por agregar, Consejo to the King, May 9 and 18, 1801, April 11, 1804; Francisco Antonio de Fuentes y Guzmán, *Historia de Guatemala* (2 vols., Madrid, 1883), II, 207-208.

esty's devotion had promoted him,[11] constructed at his own expense a building that occupied all the vacant frontage and that he divided into three one-story tenements of equal size made of brick and roofed with tile. In his statement of endowment dated July 10, 1795,[12] and certified by Narcisse Broutin, notary public, he directed that the income that the aforementioned three tenements might produce should be included with the rest that the church possesses for the support of the cult, and that if, in the course of time, the province should pass to some other nation that does not profess the Roman Catholic religion it was his will that the value of the structure should be determined apart from that of the ground and that the former should go to the house of charity that is beyond the walls of the city of Havana, called Beneficencia,[13] and that in case this could not be done it should be done with the income that the said tenant houses may produce. All is set forth at length in the document that accompanies this exposition.[14]

As the delicate and religious manner of thought of the most worthy first prelate and benefactor of this holy church was never that of revealing in any manner the contributions that he made, he did not let it be known how much he had spent in construction of the aforesaid three tenements. As soon as he had gone away I set out in fulfillment of my duty as superintendent of the holy church and viceregal trustee to make up a judicial estimate in legal form of the value that the aforesaid three tenements might have, distinguishing accordingly between them and the ground that they occupied, in order that it might at any time present necessary information in the matter and serve any suitable purpose. When this was finished the estimate on the buildings amounted to eight thousand eight hundred pesos[15] and that of the ground to four thousand. The House of Beneficencia of the city of Havana has a right to the former sum if the province shall come into possession of a nation that does not profess the Catholic religion, according to the will of the donor.

Reviewing what is set forth in this exposition, which I make and submit to Your Majesty, it appears according to the documents abovementioned, some of which I have in my possession, that in the time of French domination of this province grounds

[11] The crown had the right of presentation (nomination) of prelates.

[12] Perhaps 1798.

[13] Apparently the house of Dr. Peñalver's foundation.—Fuentes y Guzmán, *op. cit.*, as in footnote 10. above.

[14] Not in this file; a copy is catalogued as being in AGI, PdeC, Legajo 2367.

[15] The milled peso was equal to the American dollar and usually sold in the United States at a premium of one or two cents.

in this city (which are those that I have indicated above) were granted in order that the Capuchin monks might have therein a priest house as their residence and a garden for their use and recreation; and that in the course of time through possession—the usufructuary and inalienable possession and claim that the mission of Capuchin monks had had in this province—a holding of land such as other residents and settlers held in this province passed by the act of cession of Louisiana that the king of France made to the crown of Spain, [and passed] under the same conditions to the Spanish friars of the same order, who continued in administration of the holy sacraments in this city and province; and if the grounds of the pastorate house and its garden were not sold in the year 1784 this was certainly because they adjoined the holy church and through their convenient location provided a suitable residence for the pastors and their assistants.

Now, Sire, the matter presents another aspect. Since the year 1788, in which a part of this city, its church and house of pastors were burned, Your Majesty out of your Royal Treasury has paid for the houses in which the latter lived and have lived to this day; and it seems that through this disbursement Your Majesty in turn has acquired a claim upon these grounds in which [Your Majesty] approved the construction of the little houses that produced for the temple a small income that to-day is increased, since the structures have been improved and the rents raised. At present all the aforesaid plot of land with the buildings that provide income for the church, including the one that the late Don Andrés Almonaster y Roxas had left unfinished, the upper part of which was to serve as residence for the pastor and his assistants and the lower as storage rooms and rental space to produce income for the holy church and all of which [Your Majesty] had completed at your own expense—all the aforesaid grounds and buildings may be worth at present from forty-five to fifty thousand milled pesos because of the rise in value of real estate through the increase of population and trade.

Since it is of public knowledge that Louisiana, which Your Majesty retroceded to the French Republic, has been ceded by the latter to the United States of America, a government in which no one religion is dominant and all are tolerated, it seems to the exponent that circumstances exist in which there should be carried out the directions [given] by the most illustrious first bishop of this province, according to his deed and document enclosed, and

that the sale of the three houses with their lots should be effected, deducting according to the theory stated the value of the latter, which Your Majesty may appropriate as repayment of what you have paid for lodging the pastors; and that the rest should go to the House of Beneficencia of the city of Havana.

It does not seem to me that I should omit reporting to Your Majesty at this point that according to the inventory of ornaments and valuables that this holy church has for its use the greater number have been given and paid for by the Reverend Father Fray Antonio de Sedella, the present prebendary pastor of the Chapel of the Sacrament of this holy cathedral church, which may have a value of from three thousand to three thousand five hundred milled pesos.[16]

Since Your Majesty's intention up to the present has been only that of retroceding Louisiana to France in such [form] as [France] ceded it to Your Majesty,[17] I believe that the government has no collateral right to appropriate to its own use such valuables, which were not given with such intention, as is proved by the books of inventory and by the affidavit that the donor has given me. The province would remain nevertheless better provided with more proper ornaments and furnishings for its service than those that it had when it passed into Your Majesty's dominions. This is proved through the existence of the inventory of what the holy church had at that time.

Your Majesty, with fuller information that may be given you by the commissioners you have appointed for the transfer of Louisiana to the government of the French Republic and with other advices from the other officials who remain here, will be able to decide what may be your royal and sovereign pleasure.

May Our Lord preserve the valued life of Your Majesty the many years that the Monarchy for its own happiness desires. New Orleans, September 30, 1803.

At Your Majesty's royal feet,

Antonio Morales.
(Rubric)

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[16] In March, 1805, the Spanish commissioner for the transfer of the province gave these articles directly into the care of Fray Antonio for the use of the parish.—AGI, PdeC, Legajo 179, Casa Calvo to Caballero, March 30, 1805, and Copia No. 10.

[17] Quotation from royal order of October 15, 1802; footnote 4, above.

THE FREE NEGRO IN NEW ORLEANS, 1803-1860

By JAMES E. WINSTON

In no southern city perhaps, with the exception of Charleston, South Carolina, did the free blacks constitute so important an element in the population as they did in New Orleans.[1] In 1769 the number of free Negroes in New Orleans was 98; in 1778 there were 353, two-thirds of whom were said to be of mixed blood. By 1803 this group had increased to about 1,355, constituting roughly about one-ninth of the entire population.[2]

Under the Spanish regime the free blacks had enjoyed a certain amount of governmental protection. As in the case of the Indians such commercial privileges as they enjoyed were strictly regulated. Of slave origin in the main their liberty had been bought or obtained through blood relationship. Thus their subsequent status logically retained something of its slave characteristics. Governor Gayoso required them to obtain permits from the government before offering any goods for sale. They were moreover required to carry with them their certificates of liberty to prove their freedom.[3] The men carried on small businesses, or engaged in those "mechanical trades for which they had so much aptitude and so little liking". Many were carpenters and tailors. The free women of color formed a redoubtable group living for the most part, it is said, in concubinage with the white men. According to one observer mulattresses and the nearly white quadroons, with their yellow or bronze-tinted complexions, vied with the Creole women for the attentions of the Creole men.[4] Governor Miro warned the women to take heed to their idleness and incontinence.[5] Many of the young girls of this class were placed by their mothers with white men at the age of fourteen or fifteen. White men, married and unmarried, lavished to a ruinous extent attentions upon

[1] For the significance of this group in Charleston, see Edward Channing, *History of the United States*, V, 135-137.

[2] According to Perrin du Lac the population of New Orleans in 1800 was a trifle over 12,000. About one-fourth of the whites consisted of Spaniards of a low class intimate with the blacks, free and slave.—James A. Robertson, ed., *Louisiana under Spain, France, and the United States, 1785-1807*, I, 150.

[3] *Ibid.*, I, 85, 218.

[4] *Ibid.*, I, 85; *Louisiana Historical Quarterly*, X (1927), 479.

[5] Francois Xavier Martin, *History of Louisiana*, 246.

these dusky beauties who were licentious and mercenary. White women naturally regarded them with jealousy and contempt.[6]

When Louisiana was transferred to the United States, the existing laws regarding free Negroes and the freeing of slaves were not interfered with, and the Black Code, except such parts as would be inconsistent with the laws of the United States, was ordered to be continued in force.[7] As a rule the slave must be thirty years of age, and must have behaved well for four years next preceding his emancipation. If a slave saved the life of his master or of any member of his master's family he could be emancipated for meritorious conduct at any age. The child of the slave mother, who had acquired the right of future freedom, became free on the death of the mother.[8] It was set forth in the statutes of the state that free people of color ought never to insult or strike white people, nor presume to conceive themselves equal to the whites, but on the contrary they should submit to them on every occasion, and never to speak nor answer them but with respect under penalty of imprisonment, according to the nature of the offense.[9]

The years following the acquisition of the Louisiana territory witnessed an increase of both the free blacks and of the slave population, but for different reasons. According to a census of 1806, the population of the Parish of Orleans was as follows: white men 21 years of age and over, 2108; white males under 21, 1422; females, 2781; free men, women and children of color, 2312; slaves, 8378. Four years later the slave population had increased to 9139.[10] There were a number of reasons for the relatively large group of free Negroes in New Orleans, the chief explanation perhaps being found in the large number of slaves. As already intimated slaves were frequently set free for meritorious services, or were able to buy their freedom. One contemporary describes the freedmen as principally mulattoes of slave origin, and abounding in petty vices.[11] Some were freed by will at the death of their former masters. To these must be added many mulatto and quadroon children who were given their freedom by their white fathers. Many of this latter group received gifts of money and property that enabled them to sustain a high standard of living.

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[6] Robertson, *op. cit.*, I, 85; Charles Gayarré, *History of Louisiana*, III, 377. For the above account the writer is indebted in part to an unpublished Master's Thesis by Mr. Minter Wood, entitled "Social Life in New Orleans under the Spanish Regime".

[7] Albert Phelps, *Louisiana: A Record of Expansion*, 195.

[8] W. D. Weatherford, *The Negro from Africa to America*, 183.

[9] *Ibid.*, 193.

[10] *Louisiana Gazette*, September 20, 1810.

[11] Robertson, *op. cit.*, I, 218.

The rate of increase of free Negroes by natural propagation was seemingly slight in proportion to that of the slaves. This may be accounted for in part by the fact that there was an equal balance between the number of male and female slaves, but the proportion of women to men among the free blacks was very small. This was because it was easier for men to earn money enough to buy their freedom, and in all likelihood they were oftener set free for meritorious service. Inasmuch as children having one free and one slave parent had the status of the mother, men would find it convenient to marry slave wives because they would not have to support either the mother or the children. The quadroon women were most reluctant to marry men that were either wholly or partly Negro. They preferred almost entirely to be the mistresses of white men. It was not unusual for women of this class to possess considerable means, sending their children to France to be educated. And since they encountered no race discrimination, it may be inferred that many of them remained there and married, their descendants in time losing all trace of their former origin.

Almost immediately after Louisiana was admitted into the Union, the question of the freemen of color was brought to the attention of Governor Claiborne. In asking for larger forces, he said: "The free men of color, in and near New Orleans (including those recently arrived from Cuba) capable of carrying arms, cannot be less than eight hundred. Their conduct has been correct hitherto. But in a country like this, where the Negro population is so considerable they should be carefully watched". Writing to James Madison, under date of December 27, 1803, he had alluded to a "large corps of people of color" who were attached to the Spanish service and highly esteemed as soldiers.[12] The following year Governor Claiborne appointed two majors of a colored battalion, which was presented with a stand of colors. Due however to the great dislike entertained by the whites toward free persons of color, Major Fortier was ordered not to enroll any new members in the battalion. In 1811 the territorial legislature expressed opposition to this class being organized as a military corps.[13]

On the whole the conduct of the relatively large group of Negro freedmen in New Orleans seems to have been exemplary. On one occasion Claiborne alluded to the "highly reprehensible conduct of the free people of color". There had been dissatisfaction on

[12] Dunbar Rowland, ed., *Official Letter Books of W.C.C. Claiborne*, I, 314.
[13] *Ibid.*, II, 199, 216, 218; V, 350.

the part of some of these at not receiving an invitation to a meeting of citizens adopting a memorial to Congress on the abolition of the slave trade and the division of Louisiana. As a result of a conference with eight or ten of the more influential of the freedmen, they were dissuaded from pressing the matter of a public meeting.[14] It would have been surprising, he said, if some of these had not been friendly to the Spanish interest, but this was more than offset by the proof given of their attachment to the American regime[15] In November, 1809, certain disturbances among the Negroes on the German Coast created apprehension of an uprising in the City. But Claiborne testified to the good conduct of the freedmen on this occasion and to the zeal they displayed for the public safety. Inasmuch as free persons of color were licensed as tavern keepers, these taverns were resorted to by slaves who created an annoyance by dancing and drinking during the night.[16]

One of the things which was a matter of grave concern to the public authorities in connection with free persons of color was the heavy immigration of this group from the Island of Cuba. Some idea of the large influx of such persons may be derived from the fact that six vessels in 1809 brought 271 free men of color, 892 women, and 814 children, making a total of 1977. It may be noted that these same vessels brought 1979 slaves, for sentiment in favor of the slave trade was well nigh universal.[17] It is not surprising that Claiborne thought there were too many free persons of color for the general interest.[18] In accordance with the law all males of color above the age of fifteen were required to give bond for their departure from the Territory, and in one instance reference is made to sixty-four having subscribed to bonds to that effect. Somewhat puzzling therefore is the statement of one official: "I know but of few men of color who have left this place".[19] The degree of sobriety that characterized these refugees is remarkable. Not a single complaint is said to have been lodged against any of them. Having property and the bulk of the males being adept in useful trades and handicrafts, they constituted a law abiding and industrious group. There was thus ample reason for Claiborne thinking the distrust felt for free persons of color ill-founded.[20]

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[14] *Ibid.*, II, 235, 237, 239, 244-245.
[15] *Ibid.*, III, 248, 252, 257.
[16] *Ibid.*, III, 357; V, 100, 163.
[17] *Ibid.*, II, 245; IV, 381-382, 409. According to John S. Kendall, *History of New Orleans*, I, 85, the free persons of color were refugeeing from Santo Domingo.
[18] Rowland, *op. cit.*, IV, 402.
[19] *Ibid.*, IV, 405; V, 4.
[20] *Ibid.*, IV, 305, 388; VI, 289.

No account of the free Negro in New Orleans would be complete without some reference to the part he played in the most serious crisis which confronted the City during this period. When General Jackson was expected in New Orleans, Claiborne sent him a message which included an allusion to the free men of color. He said, "Among the militia of New Orleans there is a battalion of chosen men of color, organised under a special act of the Legislature".[21] Much unwillingness was manifested in organising and placing arms in the hands of this class. However, as has already been intimated, there was precedent for such action, since under the Spanish government men of color were always relied upon in times of difficulty, and on several occasions proved themselves to be firm and courageous. So Claiborne thought it advisable at this time to organise a battalion of limited number with certain restrictions. The command was placed in the hands of Colonel Fortier and of Major Lacoste, a respectable and rich merchant. In his address to the Negro soldiers Claiborne stated that he relied on their valor and fidelity to the United States. The soldiers on their part expressed their devotion to their country and suggested that all the free men of color in New Orleans be organized and received as part of the militia.

At the battle of New Orleans General Jackson enlisted the battalion of the men of color. Four hundred were in the field. Laffite is also said to have had black soldiers.[22] A battalion of 210 men was organized from the Santo Domingo Negroes, and rendered excellent service under Major Daquin.[23] On January 21, 1815, General Jackson issued two proclamations from Mobile, one addressed to the white population of Louisiana and the other to the free colored inhabitants. The latter was considered very objectionable since it was construed to place colored men too much on an equal footing with white men. In this address Jackson promised the Negroes the same rewards as the white soldiers.

Following the War of 1812 the free people of color occupied a peculiar position in New Orleans. Except in this city and in Charleston most of the free men of color were regarded as forming a vicious and indolent element and were feared as a source of trouble.[24] In Louisiana at various times laws were passed to re-

[21] Gayarré, *op. cit.*, IV, 335-336.

[22] *Journal of Negro History*, II, 54-55.

[23] John S. Bassett, *Life of Andrew Jackson*, 155-157. *Cf. Times-Picayune*, January 10, 1925, for an account of the heroism of the Negro troops.

[24] For the jealousy and dread of the free black population in the northeastern states, see Edward Channing, *History of the United States*, V, 133.

strain the free Negro, but it creates no surprise to learn that they were seldom enforced successfully.[25] The same thing may be said of the laws passed prohibiting freedmen from other states coming into Louisiana. Indeed according to the *Daily Picayune* many free Negroes had come to New Orleans without being molested; the only thing that prevented the law against their entrance from becoming obsolete was the meddling of northern fanatics.[26] On the other hand, in the mayor's office was a list of those free Negroes who, for one reason or another, were subject to deportation.[27]

The free Negroes shared in the prosperity that New Orleans enjoyed prior to the crash of 1837. In 1836 there were 855 free people of color paying taxes on property assessed at $2,462,470, and owning 620 slaves.[28] In 1860 the property holdings of the same group were estimated at from $13,000,000 to $15,000,000.[29] In New Orleans Negroes owning $40,000 worth of property were said to be quite numerous.[30] The most outstanding free Negro in this respect in the city was Thomy Lafon, who was also a generous benefactor of both races. He was a merchant and a moneylender, who invested successfully in real estate. At his death at the venerable age of eighty-two, his holdings were rated at nearly half a million dollars. "He distributed his life's earnings by will indiscriminately among white and black, Protestant and Catholic. The state legislature has ordered his bust to be carved and set up in one of the public institutions of the city. It will be the first public testimonial in this country to a man of color, in recognition of his broad humanitarianism and true-hearted philanthropy."[31]

Slaveholding by colored townsmen was fairly frequent. In 1830 there were 749 free Negroes owning slaves. Twenty-six held ten or more apiece, and one named Cécëe McCarty owned thirty-two. Many of the owners were women. A large number of these slaves were used by their masters as servants or laborers, but probably the majority consisted of children or near relatives of their owners. The abundance of such holdings is evidenced by the large number of applications from free Negroes to manumit their slaves,

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[25] *Journal of Negro History*, II, 64.

[26] *Daily Picayune*, January 19, 1845. According to a map drawn by John LaTourette of this date, the population of New Orleans was 102,191, made up as follows: whites, 59,519; free colored, 19,226; slaves, 23,446.

[27] The writer is indebted to Mr. Edward A. Parsons for calling his attention to this document, written in a clear, legible hand in French. A companion volume has been lost.

[28] B. G. Brawley, *A Short History of the American Negro*, 103.

[29] *Ibid.*

[30] U. B. Phillips, *American Negro Slavery*, 433.

[31] Grace King, *New Orleans: The Place and the People*, 355.

with exemption from the legal requirement that the new freedmen leave the state. This was granted when it could be proved that they were natives of the state and would have means of support when they had gained their freedom. A striking example of such petitions was that presented by Marie Louise Betaud, a woman of color, which recited that in the preceding year she had bought her daughter and grandchild at a cost of $700; that a lawyer had told her that in view of her lack of free relatives to inherit her property in case of death intestate her slaves would revert to the state. She begged for permission to manumit them without their having to leave Louisiana. This was done on condition that a $500 bond be given to insure the support and education of her grandson until he should become of age.[32]

Not all free Negroes held slaves as a means of giving them their freedom. Many held them as a productive investment. Professor Phillips believes that it was from this latter class that emanated a joint communication to a New Orleans newspaper when secession and civil war were impending: "The free colored population (native) of Louisiana. . . own slaves, and they are deeply attached to their native land, . . . and they are ready to shed their blood in her defense. They have no sympathy for abolitionism; no love for the North, but they have plenty for Louisiana. . . . They will fight for her in 1861 as they fought in 1814-1815. . . . If they have made no demonstration it is not because they are not well disposed. All they ask is to have a chance, and they will be worthy sons of Louisiana".[33]

As the free Negroes amassed property they began to educate their children. Being well-to-do they could maintain their own institutions of learning, in addition to having access to the parochial schools. It is doubtful if this class enjoyed in any other city better facilities of education than here. The people of New Orleans did not object to Negroes acquiring an education; their white instructors did not feel that they were condescending in teaching them; and children of white parents raised no objection to attending special and parochial schools accessible to both races.[34] Progressive free men of color also supported their own schools. Some of them like the wealthy Creoles sent their sons to France to be educated. Highly interesting is the "École Des Orphelins Indi-

[32] Phillips, *op. cit.*, 434-435; C. G. Woodson, *The Education of the Negro Prior to 1861*, 122.

[33] Phillips, *op. cit.*, 435-436, citing the New Orleans *Daily Delta*, December 28,1860.

[34] Woodson, *op. cit.*, 128-129.

gents", a free school that was opened for indigent orphan children in 1840.[35] Madame Couvent, a free woman of color, died leaving a fund in trust for the maintenance of this institution. It was also befriended by Thomy Lafon and by Aristide Mary, a free woman of color, who bequeathed $5000 for its support. Free Negroes sought a musical education in Europe. Among the noted members of this group was Edward Dede. Nor were they backward in other cultural fields. The *Daily Picayune* commented upon the Negro's superior taste for and appreciation of the drama.[36] They attended the opera dressed in fine array. The editor of the *Courier* commended the management of the Orleans Theatre for permitting free people of color to occupy the second boxes of the theatre, after hesitating a long time as to the feasibility of such a step. White ladies had been reluctant to appear in the second tier of boxes, and as a result the management had been deprived of over $15,000 a year in revenue.[37] Free persons of color desiring to give a masquerade ball must obtain the mayor's permission and pay a fee of $5.00.[38] Slaves as early as 1803 were particularly forbidden to frequent balls and other public entertainments to which free men of color were admitted.[39]

The Negro had his love of bright colors even then. The *Daily Picayune* describes the dress of a free woman of color seen walking the streets. This quadroon wore a white satin gown neatly made and decorated with flounces and cut and fringed with a broad hem in the skirt. Add one crimson belt and pink neck handkerchief, blue hose, white satin shoes with large shining buckles, and a profusion of bows, ribbon and braid. To give a gay touch to the costume she wore a bunch of artificial flowers in her hair, and carried a yellow pocket handkerchief and a green umbrella with brown border and lilac fringe. To make the picture perfect she wore a black veil.[40]

Although New Orleans would seem to have been what might be termed an ideal place for free Negroes, yet on the whole the presence of this group was not regarded with complacency by the whites. Many were manumitted on condition that they go to Liberia. A prominent advocate of this enterprise was John McDon-

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[35] *Ibid.*; *Journal of Negro History*, II, 64-65.
[36] *Journal of Negro History*, II, 66.
[37] *Le Courrier de la Louisiane*, *November* 29; 1820.
[38] *Ibid.*, December 3, 1817; December 10, 1824.
[39] Kendall, *op. cit.*, I, 50.
[40] *Daily Picayune*, August 21, 1838.

ogh, the most thrifty citizen of New Orleans in his day. He made a unique bargain with his slaves, numbering about 1825, by which they were collectively to earn their freedom and passage to Liberia by overtime work on Saturday afternoons. This labor was to be done in McDonogh's own service and he was to keep an account of their earnings. In 1842 some eighty departed for their new home with their master's blessing.[41] Six years later one of the city newspapers recorded that there were five expeditions afloat bearing five hundred emancipated emigrants to Liberia, and that an equal number were anxiously awaiting transportation with the aid of the Colonization Society.[42] As early as 1830 a bill had been introduced in the state legislature providing that no slave might be emancipated unless he be sent by his master to Liberia. It was defeated, however.[43]

The story of the free Negro in New Orleans is by no means devoid of examples of sympathy and devotion. Miss Grace King has given a charming account of the founding and development of the Convent of the Holy Family. It was in 1842 in the "very heyday of the brilliant, unwholesome notoriety of the quadroon women, that the Congregation of the Sisters of the Holy Family was founded. Three young women of color, descendants of three of the oldest and most respectable free colored families of the city, came together, resolved to devote their lives, education and wealth to the cause of religion and charity; to succor the helpless and old, to befriend friendless young colored girls, to teach the catechism to the young and to prepare young and old for the sacrament of communion". Others of equal devotion joined the little group which carried on with courage and determination until, in the 1880's, the fruition of their labors found tangible expression in the convent, orphanage and chapel established on Orleans Street.[44] If herein is found an expression of the highest religious feeling, pure and undefiled, at the other extreme mention must be made of the barbaric superstition, which was a more fundamental part of the life of the Negro, free or slave, than Christianity itself. This was Voodooism, which centered around snake worship. African in origin, its fantastic rites are said to have been first introduced into New Orleans from Santo Domingo. This gross superstition attained its height under Marie Laveau, most famous of all Voodoo

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[41] Phillips, *op. cit.*, 227-228.
[42] *Daily Crescent*, June 2, 1848.
[43] Charles Gayarré, "The Southern Question", in *North American Review*, CXXV, 498.
[44] King, *op. cit.*, 348-355.

queens. The best known Voodoo monarch was Dr. John, whose ministrations were by no means confined to the Negro population.

The reputation enjoyed by the free Negroes of New Orleans extended beyond the limits of Louisiana. Confirmation of this is seen in the appeals of the Haitian government to the free colored population of New Orleans, offering them many inducements to emigrate to that republic. The appeal is worth quoting in full:[45]

> The appeals of the Haytian government to the free blacks, inviting their immigration, have been principally directed to the free colored people of New Orleans. It is evidently here that Hayti expects to find the class of people she needs to achieve the salutary reaction which is to save her from barbarism and to put her once more in the road to live.
>
> Our free colored population forms a distinct class from those elsewhere in the United States. Far from being antipathetic to the whites, they have followed in their footsteps and progressed with them, with a commendable spirit of emulation, in the various branches of industry most adapted to their sphere. Some of our best mechanics are to be found among the free colored men. They form the great majority of our regular settled masons, bricklayers, builders, carpenters, tailors, shoemakers, etc., whose sudden emigration from this community would certainly be attended with some degree of annoyance; whilst we count among them in no small number excellent musicians, jewelers, goldsmiths, tradesmen and merchants. As a general rule, the free colored people of Louisiana and especially of New Orleans—the "creole colored people", as they style themselves—are a sober, industrious and moral class, far advanced in education and civilization. From that class came the battalion of colored men who fought for the country under General Jackson in 1814-'15, and whose remnants, veterans whom age has withered, are taken by the hand on the anniversary of the glorious eighth of January, by their white brethren-in-arms, and proudly march with them under the same flag.

It appears that free Negroes obtained justice in the courts of New Orleans. Notices such as these are found from time to time in the daily newspapers: "The case of Anthony Graft accused of receiving stolen goods, came on yesterday before Judge McHenry. The accused was convicted. . . . Mathew Jones, f.m.c., on a similar charge was acquitted."[46] Another item ran: "A free man of color charged with burglary was freed because of lack of evidence."[47]

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[45] *Daily Picayune*, July 16, 1859.
[46] *Daily Crescent*, April 12, 1848.
[47] *Ibid.*, June 17, 1848.

In the *Daily Picayune* an article was printed entitled "Our Police and Abolitionists", in which it was stated that the "New Orleans Police are satisfied when free Negroes show their papers. For we can state with sincerity and truth, that there is no city that we have ever seen where free Negroes have less cause of complaint than in New Orleans. Their rights are respected, and their freedom is even rigidly guarded by our laws; but a strange Negro must produce some other evidence of his liberty than his own oral testimony. We do not require papers signed by the Almighty. The name of a legally appointed Recording Clerk, however, is required".[48]

On the whole it would seem that the position of the free Negro in New Orleans in the decades prior to the Civil War was secure and happy. While there were occasional periods of antagonism against him, these were usually of little consequence. It would be an error to conclude that all free men of color in New Orleans were well off. There were various degrees of wealth and well-being among them, just as there was in the case of the whites. Usually those of mixed blood were the most advanced. With the possible exception of Charleston, the free Negro enjoyed better advantages in New Orleans than in any other city in the United States. And to New Orleans he made a positive economic and cultural contribution.

[48] *Daily Picayune*, May 18, 1838.

DOCUMENTS RELATING TO THE ESTABLISHMENT OF PRIVATEERS AT GALVESTON, 1816-1817

Translated and Edited by HARRIS GAYLORD WARREN

INTRODUCTION

During the Mexican war for independence, New Orleans was the headquarters for the smuggling and privateering fraternity. The munitions trade with Mexican insurgents attracted such men as Duncan, West, and Sauvinet, men who were inclined to look upon privateering with pecuniary sympathy. The privateers and their enterprising financiers in Louisiana had need for a port to which prizes could be brought for the farce of condemnation. After the Ross-Patterson expedition dispersed the Baratarians in 1814, the privateers and their middlemen were left without a rendezvous. Pensacola, Matagorda Bay, and Galveston were leading possibilities for such a meeting place, and Spanish officials frequently reported rumors that expeditions were being planned in New Orleans to take possession of those harbors.[1]

Plans for establishing an insurgent port, as well as for preparing other filibustering expeditions, were interrupted by the British invasion of Louisiana; but the conclusion of hostilities found a large number of adventurers in New Orleans who were available for daring projects. José Álvarez de Toledo, who suffered defeat at the hands of Arredondo near the Medina River in 1813, urged the Mexican insurgents to send a minister to the United States and to provide funds for equipping an expedition. Partly in response to Toledo's frequent representations, the Mexican Congress sent José Manuel de Herrera to the United States as its minister. Herrera went no farther than New Orleans where Abner L. Duncan, John K. West, and their friends relieved him of any possible embarrassment he might have experienced in taking care of $23,000. Unable to obtain sufficient support from his government, Herrera was soon in desperate straits and found it necessary to depend upon his friends for the necessities of life. Toledo's

[1] Details of some of these plots are developed in the present writer's "Pensacola and the Filibusters, 1816-1817," in *The Louisiana Historical Quarterly*, July, 1938.

plans failed because of his slender resources, disagreement among the plotters, and the clever espionage of Juan Mariano Picornell.[2]

Early in 1816, when all of their attempts to establish a privateers' headquarters had failed, the New Orleans associates and the indigent Herrera interested Louis Aury in occupying Galveston or Matagorda Bay. Aury added several merchantmen to his force,[3] sent a messenger to New Orleans to announce his presence on the coast of Texas,[4] and attempted to cross the bar at Galveston. Many of his vessels and their prizes suffered disaster and Aury aroused resentment among his motley crew when he drove them to the work of salvage. Some two hundred of his Negroes mutinied, wounded their leader, and sailed away with three vessels which bore most of the supplies and plunder.[5] After this uprising, which occurred during the night of September 7, Aury was ready to abandon the inhospitable port; but on September 9 he received encouragement when Herrera, Peire, Humbert, Sauvinet, and Savary arrived from New Orleans.[6] The Mexican 'minister' organized a government with Aury in charge and then returned to Mexico.[7]

The so-called government had been operating more than two months when Francisco Xavier Mina arrived to complete his preparations for the invasion of Mexico.[8] While he was engaged in this task, the New Orleans associates attempted to interest him in the project against Pensacola. Mina went to New Orleans in February, 1817, but failed to reach an agreement with the plotters.[9] While he was away, Aury's plan to move to Matagorda was checked by Henry Perry and Mariano Montilla.[10] A satisfactory arrangement was worked out among Perry, Montilla, and Aury and the work of removal was nearing completion when Mina returned from New

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[2] The story of these maneuvers will be told in the writer's "New Spain and the Filibusters, 1812-1821," now being prepared for publication.

[3] Deposition of José Peña, New Orleans, September 30, 1816, encl. in Juan M.a Echeverri to Apodaca, Havana, October 16, 1816, Archivo General de la Nación, Notas Diplomáticas, I, f. 254. Hereafter cited as AGN ND.

[4] Herrera to del Llano, Puebla, May 13, 1817, Archivo General de Indias, Audiencia de Mexico, 90-2-9, papeleta 4, no. 2, f. 3. Hereafter cited as AGI AM. Deposition of Juan Domingo Lozano, New Orleans, May 9, 1817, encl. in Fatio to the Captain-General, New Orleans, May 14, 1817, Archivo General de Indias, Papeles Procedentes de Cuba, legajo 1900. Hereafter cited as AGI PC.

[5] Deposition of José Peña, New Orleans, September 30, 1816, encl. in Echeverri to Apodaca, Havana, October 16, 1816, AGN ND, I, f. 254.

[6] Morphy to Cienfuegos, New Orleans, October 24, 1816, AGI PC, leg. 1900.

[7] Herrera to del Llano, Pubela, May 13, 1817, AGI AM, 90-2-9, papeleta 4, no. 2, ff. 3-4.

[8] "Boletín I de la Division Auxiliar de la Republica Mexicana," encl. in Fatio to Cienfuegos, New Orleans, June 24, 1817, AGI PC, leg. 1900.

[9] Morphy to the Captain-General, New Orleans, March 10, 1817, AGI PC, leg. 1900.

[10] Deposition of Juan Domingo Lozano, New Orleans, May 9, 1817, encl. in Fatio to the Captain-General, New Orleans, May 14, 1817, *ibid.*

Orleans. According to Jean Laffite's report, Aury ordered one of his vessels to fire on Mina's transport, the *Cleopatra;*[11] but the attack failed and the guerrilla leader rejoined his men.

Mina's visit to New Orleans aroused the fears of Spanish officials, and Jean Laffite deemed it advisable to make a personal investigation of affairs at Galveston. Pierre Laffite had entered the service of Spain on November 17, 1815, after being won over by Juan Mariano Picornell. Jean, of course, followed his brother's lead. The famous Baratarians, known as Nos. 13—Pierre was No. 13-one and Jean No. 13-two—co-operated with Spain's secret agent, the Capuchin Father Antonio de Sedella. From this league of saint and sinners the Spaniards obtained valuable information about the plans of the filibusters, privateers, and pirates. Pierre and Jean were playing a dangerous game with admirable skill.

Jean sailed for Galveston on March 16, 1817, and arrived at the privateers' port a week later. He conferred with Mina and Aury and was there when the two leaders sailed for Soto la Marina. With Galveston deserted except for a skeleton organization, Jean had little difficulty in executing a miniature coup d'etat. Then he hurried back to New Orleans to report to Father Sedella and to arrange for sending supplies to Galveston.[12] He had expected to perfect his organization at the Texas port by returning immediately, but the arrival of Felipe Fatio, the new Spanish consul, caused a revision of his plans.

Fatio reached New Orleans on May 6, 1817, and took charge of the consulate on the following day. The principal purpose of his mission was to adopt measures to rid the Gulf of privateers and pirates. Cienfuegos instructed him to examine the proposals of the brothers Laffite and to take whatever action he deemed advisable in the circumstances.[13] Fatio was at first wary in his dealings with the Nos. 13, but their apparent frankness and zeal, combined with the recommendations of the former agitator, Juan Mariano Picornell and Father Sedella, overcame the consul's caution. Before the confidential mission was brought to its close, the brothers Laffite had spent more than $18,000 to set up their Galveston headquarters and Fatio had incurred other obligations which

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[11] Jean Laffite's 'Diary', encl. no. 1 in Fatio to Cienfuegos, New Orleans, May 24, 1817, *ibid.*

[12] *Ibid.*

[13] "Instrucciones dadas por el Excelentisimo Señor Capitan General de la Isla de Cuba al Señor Don Felipe Fatio sobre la Comision Reservada," encl. in Cienfuegos to Fatio, Havana, April 12, 1817, AGI PC, leg. 1898.

brought the total cost of the mission to about $41,000.[14] The brothers Laffite expected reimbursement from Spain in accordance with Fatio's promises, and although Luis de Onís admitted the justness of their claim, they received only a small token payment.

The following documents, although they reveal only a part of the story, are indispensable for a study of the Galveston establishment under Aury and the brothers Laffite. They indicate also that citizens of Louisiana played an important role in that enterprise.

No. 1, "A Captive at Galveston," includes the letter of transmissal from Felipe Fatio to José Cienfuegos, New Orleans, May 14, 1817, enclosing Lozano's deposition given at New Orleans on May 9, 1817. The deponent was captain of the *Infatigable,* a merchant brig captured by the corsair *Belona,* flagship of Louis Aury's fleet. The *Infatigable* was taken to Galveston as a prize and ran on the bar when inexperienced pilots attempted to take it into the harbor. Lozano's deposition is important not only because of information regarding the privateers, but also because it corroborated the account given by Jean Laffite of his voyage to Galveston. Lozano, a loyal Spaniard, thus gave testimony which added to the confidence with which Felipe Fatio regarded the sincerity of the brothers Laffite in their capacity as secret agents for Spain.

No. 2, "Felipe Fatio's Report on the Plan of the Brothers Laffite to Capture the Corsairs of the Gulf," shows the extent to which Fatio was willing to go in carrying out the Laffite plan. The fact that Spanish officials were willing to consider such an expedient might be taken as an indication of the desperate straits in which they found themselves. Neither the captain-general of Cuba nor the viceroy of New Spain was able to provide warships to patrol the Gulf and protect merchant vessels. Officials in American cities showed little inclination to heed Spanish protests about the corsairs. Desperate measures were justified, and the daring plan offered by the brothers Laffite certainly had prospects of success.

No. 3, "Jean Laffite's Diary of a Voyage to Galveston," is enclosure no. 1 in Fatio to Cienfuegos, New Orleans, May 24, 1817, and shows the former smuggler of Barataria in the role of a clever double-crosser. Much of the information contained in the 'Diary'

[14] Onís to José Pizarro, Washington, November 22, 1818, AGI PC, leg. 1898. A statement of the Laffite account is encl. no. 6 in Fatio to Cienfuegos, New Orleans, September 29, 1817, AGI PC, leg. 1900.

must be supplemented by other accounts. Jean Laffite could have been much more exact about names of vessels and men; but, supported by depositions from victims of the corsairs, the 'Diary' helped to convince Fatio that the brothers Laffite were sincere in their desire to serve Spain.

No. 4, "The Laffite Plan to Capture the Corsairs," is enclosure no. 2 in Fatio to Cienfuegos, New Orleans, May 24, 1817, and reveals a bold scheme to clear the Gulf of privateers and pirates. If the project had been put into operation, the ranks of the privateers would have been thinned considerably, and the Mexican insurgents might have experienced greater difficulty in receiving supplies through Nautla and Boquilla de Piedras. A demonstration of ability to cope with the privateers and pirates would have dampened the ardor of Spain's enemies. Lack of funds, vessels, and confidence wrecked the project which never did have the approval of the viceroy of New Spain.

These documents are translations of transcripts in the Ayer Collection, Newberry Library, Chicago, and appear in the "Correspondencia del Consul de Nueva Orleans Don Felipe Fatio con el Excelentisimo Señor Don José Cienfuegos. Año de 1817." Archivo General de Indias, Papeles Procedentes de Cuba, legajo 1900.

No. 1 A Captive at Galveston—The Deposition of Don Juan Domingo Lozano, Captain of the *Infatigable*

Most Excellent Sir:

I have the honor to enclose for Your Excellency a copy of the deposition which was given His Majesty's consulate under my charge by Don Juan Domingo Losano, a native of Bilbao, captain and chief pilot of the Spanish merchant brig *Infatigable*, belonging to the Señores Don Martin la Torre y Rios of the Cadiz trade. [This vessel] which was making a voyage from Havana to New York with a cargo of molasses, sugar, and coffee, was captured by the corsair *Belona* of the squadron of the pirate Aury, three leagues north of Matanzas on that island [Cuba].

As Your Excellency will observe, said brig was lost with its cargo at the entrance to Galveston.

I do not know if the vessel was insured, but this information should be communicated to the consignees for their guidance.

This deposition is, as Your Excellency will see, a brief summary of the main events at Galveston after the pirate Aury established himself there until his departure for the purpose of escorting Mina's division to Soto la Marina, and reveals the defenseless condition in which that place has been left without a cannon on shore and with a very small force as its garrison.[15]

God keep Your Excellency many years—New Orleans, May 14, 1817—Most Excellent Sir—Felipe Fatio—Rubric—Most Excellent Sir, Captain General of the Island of Cuba.

(Accompanying the foregoing)

Copy. In the City of New Orleans, on the ninth day of May, eighteen hundred seventeen, appeared before Don Felipe Fatio, His Catholic Majesty's consul in this State of Louisiana, and before me the undersigned secretary of the consulate, Don Juan Domingo Losano [Lozano], native of Bilbao, captain and chief pilot of the Spanish merchant brig *Infatigable*, belonging to the Señores Don Martin la Torre y Rios of the Cadiz trade, which was making a voyage from Havana to New York with a cargo of sugar, molasses, and coffee. He has declared under sacred oath before God Our Father and a sign of the cross, that on June 23 of last year he was captured at daybreak by the corsair *Belona*, flagship of the self-styled Commodore Aury's squadron, three leagues north of Matanzas; that the entire squadron, composed of the four corsairs, [namely] the *Criolla*, the *Belona*, the ketch *San Fernando* (a prize they had armed), and the *Favorito*, and four more prizes, namely, a *fragata*[16] from Santander, another from Malaga, a schooner from Providence, and his own brig the *Infatigable*, anchored at Las Tortuguillas [Dry Tortugas] near which they took on water the following day and [captured] two prizes, a small fishing schooner from Havana and a *fragata* from Campeche bound for Cadiz with a cargo of lumber.

That in the morning, after having given the small schooner from Havana to several prisoners, they all set sail. At this time the *Belona* separated [from the squadron] in order, as the deponent

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[15] This observation was probably intended to aid in convincing Cienfuegos that the Laffite plan to capture Galveston was feasible.

[16] The merchant vessel known as the *fragata* carried three masts and was a fast sailer (*Diccionario Enciclopedico Hispano-Americano de Literatura, Ciencias y Artes*, VIII, 656). The naval frigate, or *frégate*, at this time was "a light nimble ship, built for the purpose of sailing swiftly. These vessels mount from 20 to 50 guns, and are deemed excellent cruisers." (William Falconer, *A New Universal Dictionary of the Marine* . . . Modernized and enlarged by William Burney. London, 1815, p. 160). See also A. Jal, *Glossaire Nautique. Répertoire Polyglotte de Termes de Marine Anciens et Modernes*, Paris, 1848, pp. 717, 719.

later learned, to put ashore on this coast a man to announce in Louisiana that Aury was going to establish himself at Galveston or the Bay of San Bernardo;[17] that the other vessels set sail for Galveston where the schooner from Providence, loaded with merchandise, the *fragata* from Malaga with general produce, the *fragata* from Santander, loaded with meat and flour, and the brig *Infatigable* were lost on the bar, and moreover the *fragata* from Campeche ran on the bar and lost its rudder.

That eight days after their arrival[18] at Galveston, at one o'clock at night, the Negroes from Santo Domingo who had come in the corsairs mutinied against Aury and, after having wounded him seriously, they took possession of two corsairs, the *Criolla* and the ketch *San Fernando*, and of the cannons, arms, money and dry goods that were on shore, and sailed for Aux Cayes with said vessels and another called the *Centinela* which they met on their way out.[19]

That Aury, in view of this event and the misfortunes caused by the difficult entrance to that place [Galveston] where he had already lost the four prizes mentioned, decided to abandon that location and come to New Orleans, a decision which he communicated to the Spanish prisoners and offered to free them.

That while preparing for this voyage, Colonels Savary, Peyre [H. D. Peire], Perit [Henry Perry ?], and other officers, with M. Sovinet [Joseph Sauvinet] and the Mexican Herrera [José Manuel de Herrera], who was said to be the minister plenipotentiary of the supposititious Mexican independence, arrived with 150 men, of whom 110 were Americans commanded by Perit [Perry] and 40 were colored persons under Savary. In view of this, after several conferences and discussions that lasted two days, all agreed that to promote the welfare and prosperity of the new establishment, it would be wise to abandon the flag of Cartagena and raise that of Mexico, everyone swearing to defend it unto death.

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[17] The visit of the *Belona* to land a messenger for New Orleans is confirmed in the deposition of José Peña, New Orleans, September 30, 1816, encl. in Echeverri to Apodaca, Havana, October 16, 1816, AGN ND, I, f. 254, and in the *National Intelligencer* (Washington), November 24, 1816.

[18] The date of the mutiny was given as September 7 by Peña (Deposition of José Peña, *loc. cit.*). If Peña was correct in saying that it occurred during the night of September 7, and if Lozano was also correct, the uprising began on September 8 at 1:00 A. M. The arrival at Galveston was on August 30 if this reasoning is correct.

[19] This mutiny, a serious blow to Aury, seems to have been caused by his lack of tact in handling the Negroes. They had expected to garner rich plunder as privateers, but Aury put them to work salvaging what could be saved of the cargoes on the wrecked prizes. Aury's losses were estimated at 200 men, $60,000, and the three vessels (Deposition of José Peña, New Orleans, September 30, 1816, AGN ND, I, f. 254). Herrera estimated the loss at $350,000 (Herrera to del Llano, Puebla, May 13, 1817, AGI AM, papeleta 4, no. 2, f. 3).

That Aury was immediately elected Governor General, and thereupon he named, with Herrera's approval, all the other officers and subordinates of the New Carthage,[20] which could with better propriety have been called *the den of all the robbers, assassins, and wrongdoers of sea and land,* because in reality if those known to the deponent during his residence there were not all of this type, the few who were not anxiously desired to become so.

That a little while later Herrera sailed for Boquilla de Piedras with Peyre [Peire] and others.[21]

That after his arrival at Galveston he remembered having seen enter, among others, the following Spanish prizes: a Catalan bomb-ketch, brig, and flat-bottomed boat, a polacre from Cadiz with 170,000 dollars and some 800 seroons of indigo,[22] another Catalan brig, two schooners from Campeche, a brig and a schooner from Sisal.

That almost immediately after they entered, these and other prizes were condemned without any order, process, or formality, in the name of an imaginary admiralty court; and what most conclusively proved that they themselves knew that they did not and never could form any government, was that in spite of said condemnation, in spite of the pretense that all effects or merchandise had been sold at auction, in spite of reassuring themselves that they were certain that in all the ports of the United States and especially in that of New Orleans, everything would be overlooked, everything would be consented to provided it were done in the name of a government or people said to be independent, he [Lozano] nevertheless observed that the brand was always removed from all the goods from the prizes before leaving Galveston in order to prevent their being recognized and claimed by the real owners.

That with no little surprise he had observed likewise that among those who called themselves insurgents from Mexico, Cartagena, Margarita, and Buenos Aires, scarcely one was a Spaniard; that almost all of the corsairs were French, Italian, American, and

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[20] The organization was effected between September 12 and 17, with Herrera naming the officers on the latter date (*National Intelligencer*, Washington, November 21, 1816; Morphy to Cienfuegos, New Orleans, October 24, 1816, AGI PC, leg. 1900; *Missouri Gazette*, St. Louis, November 30, 1816). The officers were Louis Aury, governor; Joseph Torrens, admiralty judge; Vincent Veros [Vicente Ucros], clerk of the court; Gabriel Torrens, notary; John Peter Rousselin, treasurer; Jean Baptiste Dumonisseaux, sheriff.

[21] Herrera left early in November on the *General Morelos*, Captain Bougier (Herrera to del Llano, Puebla, May 13, 1817, AGI AM, 90-2-9, papeleta 4, no. 2, f. 4).

[22] This polacre was captured by Captain Mitchell whose privateering activities were financed by Joseph Sauvinet. Morphy observed that Sauvinet added $180,000 to his bank account about this time (Morphy to the Captain-General, New Orleans, December 4, 1816, AGI PC, leg. 1900).

English; that the majority of these patriots without a fatherland had never been in Mexico, Cartagena, Margarita, and much less in Buenos Aires.

That the deponent had taken special care to observe the motive animating all these new-style Spaniards and the reformers of our Americas, and that as a final result he had not found any patriotism, virtue, object, or plan other than that of making themselves rich, and of robbing and killing, in the name of Independence, every Spaniard they met in order to make a quick and large fortune without concerning themselves about the justness or legality of their methods.

That besides said prizes and the many and various corsairs which arrived at Galveston during the deponent's residence, he saw some American and English merchant vessels come there loaded with powder and shot, light artillery, arms, saddles, uniforms and supplies.

That this colony of bandits remained in this condition until the arrival of Mina with two well-armed vessels and some 160 soldiers, the majority being officers,[23] at the same time that 25 men, all natives of the Internal Provinces, arrived under a captain named Menchaca.

That it was at this time the devious intrigues over the command began; but that in spite of several arguments and individual fights, no change was made in the government until Mina had left for this [city];[24] then, seeing that Aury had decided to go to Matagorda with his men to establish a port there which would be a safe haven and depot for the pirates, Colonel Pery [Perry], who commanded the Americans, objected and said he would not allow it unless Mina's troops also went with them.

That Aury wanted to enforce his decision, and for this purpose he mounted a cannon before his tent and armed his men, that is, the sailors and colored men.

That the Americans also took up their arms and drew up before Aury after having asked aid of the insurgent Colonel Mariano Montilla, who commanded Mina's division in the latter's

[23] Mina arrived on November 22, 1816, from Port au Prince (Mina, "Boletin I de la Division Auxiliar de la Republica Mexicana," encl. in Fatio to Cienfuegos, New Orleans, June 14, 1817. AGI PC. leg. 1900).

[24] Mina, in response to overtures from New Orleans merchants, arrived in New Orleans on February 22 to investigate the possibilities of attacking Pensacola (Morphy to Cienfuegos, New Orleans, February 26, 1817, AGI PC, leg. 1900).

absence; that Montilla granted the Americans his protection, and at the same time told Aury that if he did not calm himself, he and his [men] were lost.

That this declaration had brought about a conference, the result of which was that Aury remained in command of the maritime forces only, and Montilla—pending Mina's arrival—[was to be] ad interim commander of the land forces; that in consequence all those who called themselves *soldiers* recognized Mina as their only leader, and the sailors [recognized] Aury.

That now being in agreement, the camps were broken, all the stores were collected, and the men embarked in order to effect the new establishment at the port of Matagorda.

That everything was ready and some eight vessels were already anchored outside the port for that purpose when Mina returned and ordered the departure suspended.[25]

That the following day Mina called his general staff together to reveal confidentially the plan he had decided to follow and the place where he proposed to land; that immediately afterward (April 6) he gave the order for all to sail, leaving the *fragata* from Campeche aground, and two armed schooners with the order to join the expedition later.

That after the departure of this convoy there remained at Galveston not a single mounted cannon, and no more of a garrison than some 25 men, among whom were Savary, Lafont the engineer, Rousselin, Gareau, some twelve soldiers, a colonel, and a lieutenant,[26] which were the ones who later called themselves governor, administrator, judge, etc., so that all were officials and none subjects.[27]

That after a few days of this new government, he had seen two Spanish schooners arrive as prizes, both with cargoes of

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[25] Mina returned on March 16, 1817, on the *Cleopatra* (Fatio to the Captain-General, New Orleans, May 14, 1817, AGI PC, leg. 1900; Mier's Declaration, October 9, 1817, Juan E. Hernández y Dávalos, *Colección de Documentos para la Historia de Independencia de Mexico de 1808 a 1821*, VI, 808).

[26] "Lafont" was Bartholome Lafon, an engineer and mapmaker who had gone to Galveston on the *Carmelita*. Jean Laffite confided in him and enlisted his support in forming a new "government" to replace Aury's organization. The agreement entered into is in *House Documents*, 15 Cong. 1 Sess., vol. 2, no. 12, p. 44. The Colonel was probably Louis F. de Rieux. Juan G. Roscio and Rafael Ravenga, Bolivar's former secretary, also stayed at Galveston (Mier's declaration, October 9, 1817, Hernández y Dávalos, *op. cit.*, VI, 808), but soon proceeded to South America.

[27] The new government was organized by Jean Laffite on April 8, 1817. The list of officers is given in the testimony of Richard Espagnol, New Orleans, October 7, 1817, *American State Papers, Foreign Relations*, IV, 137-38.

Negroes,[28] another schooner of the Maracaibo trade with dry goods, and finally a falouche in ballast.

That although on his part he could not complain of the treatment that had been given him because of happening to find there a sailor who formerly had served under him, nevertheless he must observe that the pirates had acted very inhumanely toward all the Spanish prisoners.

That it was as much as he knew and could say having seen since the moment of the arrival and establishment of the pirates at Galveston, until the day of his departure, which was last April 23, in a small American schooner called the *Presidente*, having arrived in this city the fifth of the present month with six Spaniards, among them his son Carlos Francisco, all of whom Mina had set free before his departure, as he did likewise with all the other Spanish prisoners who were there.[29]

That to the entire deposition he thought he should add that later he had learned that Mina's expedition was going to land at *Soto la Marina in the Province of Santander*, which information had been given to him by one who had seen the confidential instructions that Mina himself had given to Mr. Rousselin in order that the latter might join him later with his little squadron, or in order that, if necessary, he might be able to communicate to him any important news that might develop.

And this, his deposition, having been read to him, he affirmed and approved it under the oath he had taken, saying that he had nothing to add or retract, and being 39 years of age, he signed it with the said Consul before me, the present secretary, which I certify — Juan Domingo Lozano — Felipe Fatio, Consul — Juan Mariano Picornell, Secretary.

I certify that it is a copy of the original which is deposited in the archives of this consulate under my charge.—New Orleans, May 12, one thousand eight hundred seventeen—Felipe Fatio—Rubric.

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[28] The slavers were probably the *Enriqueta* and *Petronilla*, with 113 and 174 Negroes respectively (Deposition of Tiburcio Lopez, New Orleans, June 9, 1817, encl. in Fatio to Cienfuegos, New Orleans, June 9, 1817, AGI PC, leg. 1900).

[29] Lozano and his son were sent to Cuba on the American schooner *María*, Captain William Derpin (Fatio to the Captain-General, New Orleans, June 9, 1817, AGI PC, leg. 1900). It should be observed that Lozano had no basis for saying that the Spanish prisoners were treated inhumanely. As a matter of fact, prisoners were generally treated far better than could have been expected. Specific charges of inhumane treatment were not lodged with the Spanish consul at New Orleans.

No. 2 Felipe Fatio's Report on the Plan of the Brothers Laffite to Capture the Corsairs of the Gulf

Most Excellent Sir: Very Confidential

My dear Sir: On the 28th of last month [April] I arrived at the Balize on this river without any noteworthy event occurring at sea; but because of the effect of the current which is very swift at present, I remained on board the brig *New Orleans* until the 5th of this month, going half the distance from the sea to this city. Then, in order to lose no more time, I decided to go on up in a pirogue and did so at once, arriving in this city on the 6th. On the 7th I took possession of this consulate.

On the night of the 8th, I summoned the Numbers 13 [Pierre and Jean Laffite] and 227-4916-6269-4766-5717-1327 [Father Antonio de Sedella] to a meeting. From the latter and other very confidential sources I have been convinced of the good faith of the aforementioned Numbers 13, who have no desire other than to fulfil religiously what they proposed to the Governor since the time of the Most Excellent Lord Don Juan Ruiz de Apodaca.

I am not, Most Excellent Sir, a credulous person; but, having carefully examined and considered the offers of these persons, and having weighed the result of whatever deception they may intend on their part, I confess that it is so small and inconsequential in comparison with the advantages that they should receive by following the course of honor and truth, that I see no reason for denying them that confidence which the proposed plan requires for achieving the desired result.

Nevertheless, I shall not cease to be on guard constantly; and if, unfortunately, I should observe any contradiction between their promises and their conduct, I shall be able to end the evil at its source, suspend all intercourse with them, and advise Your Excellency in good time. I do not expect this to happen, since it is certain that all of the information which they have communicated since their first offer has been fully confirmed, as Your Excellency well knows and as the archives of that captaincy-general testify.

The Reverend Father Fray Antonio, 227-4916-6269-4766-5717-1327, who, because of his sacred ministry and long residence in this country knows them thoroughly, is convinced of the sincerity of their promises. Moreover, he says that from the time they first

offered their services, they have been concerned and complained repeatedly about the apparent indifference with which our Government has proceeded so far; nevertheless, this has never discouraged them nor caused them to desist. In addition to this, all the testimony that I have taken about their moral and public conduct after the establishment they made at Barataria in 1810, praises their humanity and generous character, not only with the Spanish prisoners taken by their vessels, but also [with those taken] by other corsairs, aiding some and transporting others to this city at their expense in order that they might continue to their destinations.

I spoke to them about the communications given by Williams[30] and of the esteem in which Your Excellency held him. They have confirmed them, assuring me that nothing had been exaggerated; and then they offered to draw up a plan of operations to carry out the pre-arranged scheme in a safe and efficient manner without bloodshed.

In proof of the good faith of this assertion, and of their keen desires for the realization of their proposals, No. 13-two [Jean Laffite] told us that, as he had informed Your Excellency, he had made the voyage to Galveston in order to determine the intentions and projects of the three chieftains or pirate leaders[31] who were together at that place, in order to make their plans with more certainty afterwards.

He promised to give me a diary which would show us clearly everything that happened during his stay at that place, assuring us that he had won over two persons who were to remain there and who would be very useful to us in making the enterprise a success.[32]

He told about the disagreements which occurred between Aury and Mina and Colonel Perry, an Anglo-American who apparently has placed himself among those persons with a party of his compatriots numbering 100 men, undoubtedly for the purpose of repeating the second phase of what happened in Baton Rouge, in order immediately afterward to hand the country to the Government of the United States, which would appear to take possession

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[30] Arsene Lacarriere Latour, as John Williams, was in Havana in March, 1817, to confer with the captain-general and to bear despatches. One result of his mission was Fatio's appearance at New Orleans with instructions to co-operate with the brothers Laffite in the plan to rid the Gulf of pirates.

[31] These men were Louis Aury, Francisco Xavier Mina, and Henry Perry.

[32] Probably Louis F. de Rieux and Bartholomé Lafon.

of it with its forces in order to dislodge the bandits who disturbed the peace and tranquility of its frontiers.[33]

He concluded by telling us that on April 7 Mina had left for Soto de la Marina with his expedition composed of two frigates and two brigantines with transports, escorted by Aury's schooner commanded by himself. [The schooner was] armed with a swivel cannon and six at the sides and manned by a crew of 40 sailors with an equal number of passengers. He estimated that the total landing force would not exceed 300 men, among whom were from 70 to 80 French officers; but he promised that at the second interview he would hand us not only a copy of the Diary of the voyage he had made to Galveston, but also his draft of the project to accomplish the proposed object.

Meanwhile it was agreed that a vessel be prepared to remit these interesting matters to Your Excellency as soon as possible. I have the satisfaction of informing you that I have found in the highest patriotism and love for the King in the person of 1304 (Don Juan Rodon) 5572-4734-4370-1304, everything that could be desired in that respect. Not only did he place his vessel at my disposal, but also his brother 1304 (Don Pablo) 5717-4231, who will have the honor of placing these despatches in Your Excellency's hands, whom I recommend highly to Your Excellency's protection and favor.

On the 9th of the present month, we again met at night, at which time No. 13 [Jean Laffite] handed us the Diary, promised at the previous meeting, of his voyage to Galveston, a copy of which I have the honor to enclose for Your Excellency under No. 1.

From this document Your Excellency will be able to see the situation in which he left those places [Galveston] on April 18, and an idea may be had of the forces of the various pirates and of the large number of prizes that they have made and make daily in our America, and of the places that later they intend to occupy for the shelter of their vessels and prizes.

Then he handed us document No. 2, which I enclose, and which is the plan or project they believe to be the only one which should

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[33] Henry Perry had tried to organize an expedition in 1815, but disaster resulted while he was transporting supplies and men toward Galveston (Charles Adams Gulick and Harriet Smithers, eds., *The Papers of Mirabeau Buonaparte Lamar*, 6 vols., Austin, 1921-1927, VI, 443). After Aury's appearance at Galveston, Perry joined the group with about 110 men (Fatio to the Captain-General, New Orleans, May 14, 1817, AGI PC, leg. 1900). The reference to Baton Rouge concerns the well-known incident involving the West Florida "revolution" when the Kempers and their associates delivered the Baton Rouge area to the United States. Details of this affair are told in several places, the best of which is I. J. Cox, *The West Florida Controversy, 1798-1813*, (Baltimore, 1913), pp. 388 ff.

be put into operation, *without the least delay*, for the complete destruction of the corsairs that infest this Gulf and the coast of that Island [Cuba]. We find this project, after discussion with them [the Laffites] and reflection and consideration among ourselves, to be the most effective one for striking a blow at the root of the evil we have been enduring for such a long time, since to go on haphazardly capturing one ship or another would result in never ending the life of this Hydra, which would only be born again from its own blood, irritated by that which had been shed. And according to my best views of the matter, it promises the happiest outcome; but its execution should in no way be delayed, as much to avoid the calms and storms that are common in the months of August and September, as to take advantage of the present scattered condition of their forces which will be captured, one after another, without resistance.

As a consequence of this agreement, and not having discovered any contradiction on their part nor any reason to suspect their intentions, and their suppositions being well confirmed by the declaration taken in this Consulate from Don Juan Domingo Lozano, Captain of the Spanish brig *Infatigable* captured by a corsair and taken to Galveston, and from other Spaniards who have had a similar and unfortunate fate, I have decided to recommend their plan to Your Excellency and meanwhile to give them the assistance which is stipulated as necessary to carry it out, the costs of which I shall give an account to Your Excellency in good time.

I am sending Your Excellency all the papers and Spanish translations in order to avoid the intervention of any interpreter in a matter of such delicacy and importance, upon the secrecy of which depends my life and that of the friends who are engaged in it, and the great advantages that should result for His Majesty and his subjects and property.

Emphatically I call Your Excellency's attention to the need that exists for the vessels to leave well provided with everything necessary, with supplies for at least two or three months, and a crew sufficient for arming other smaller vessels in case, as the plan provides, all the forces that are requested should not be able to leave at once, and it becomes necessary to use those which are also stipulated.

The taking of Galveston is so easy in the present circumstances, without the need for losing even one man on one side or the other, since the above mentioned captain has assured me that

there is no fortification inside the bar, nor a single mounted cannon on shore, and the leaders who live there are all dependent upon No. 13.

Once in possession of this place, the corvette, the brig, and the schooner being outside with the signals and at the distances of which the commandant will be notified on the latitude indicated in the plan, the 14 or 16 corsairs that are cruising will be captured successively upon their approach to shore with the same ease and certainty as the port. With the prizes and their Spanish sailors that will be found there, our forces will be increased, and consequently Mina and Aury will be isolated with no aid other than the vessel, commanded by Beluche,[34] which cruises on that coast to protect them; but since by that time we shall know everything we can desire, our forces will operate with a perfect knowledge of their [forces] and of the places where they will attack them.

Since the greatest harmony and agreement is necessary for the successful outcome of these operations, and since the Numbers 13 are the only ones who are able to inform us of the proper course to follow for their completion, it would be advisable for Your Excellency to warn the commander of the expedition to observe the instructions—which I will have sent to him and delivered on the latitude of his landfall at Santa Rosa shown on the map—based on the information we shall acquire from the voyage of No. 13-one [Pierre Laffite] to Galveston, and of the schooner to Soto la Marina and Paso de Cavallos.

It is of utmost importance that Your Excellency deign to advise me of the receipt of these despatches, and to communicate your desires about the matter by means of the same messenger who should return immediately. . . .[35]

It occurs to me to inform Your Excellency that in the foregoing I have confined myself strictly to the sense of the instructions which it pleased you to give me on my departure from that city, and therefore I flatter myself that Your Excellency will approve my decision in a matter which promises the most fortunate results in favor of our August Sovereign, humanity, and the national commerce.

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[34] Beluche was then commanding the *General Arismendi* (*House Documents*, 15 Cong., 1 Sess., vol. 2, p. 14).

[35] Here follows a passage referring to Latour's trip to Havana and the need for keeping the brothers Laffite in or near New Orleans. If Latour should be unable to follow Jean Laffite's instructions in the matter of discouraging plots in the North, one of the brothers would leave at once to aid him.

I would be remiss in my duty if I failed to inform Your Excellency that I have found in the persons of 227-4916-6269-4766-5717-1327-1304-1208-227-3503-582-1304-5572-4734-4370-1304 (the Reverend Father Fray Antonio, Don Anger [Angel] Ariza, and Don Juan Radon [Rodon]), all the aid, zeal, energy, and secrecy that could be desired from subjects already "benemeritos" and truly worthy of the confidence of His Majesty's officers, and I hope with the association of these good friends that I shall successfully conclude the great task Your Excellency has seen fit to place in my hands. . . .[36]

On next Monday, the 26th of this month, No. 13-one leaves for the destination previously mentioned in this despatch for the purposes stated; he takes with him the means to obtain the final accounts which we need to execute the stroke safely, as well as a swift vessel indispensable to bring the latest news and to accompany the forces which are now asked of Your Excellency. . . .[37]

I am sending Your Excellency three designs of the rebel flags of Buenos Aires, Venezuela, and Mexico in order that the vessel of the expedition may be provided for the contingencies mentioned in the plan or project in [enclosure] No. 2.

I can think of nothing more to add to the foregoing, unless it be that I urge Your Excellency to send the bearer of this as soon as possible in order that things be done here with all possible foresight and in accordance with your superior decision.

I reaffirm my obedience to Your Excellency and pray that Our Lord preserve your life many years.—New Orleans, May 24, 1817—Most Excellent Sir—Your most attentive and faithful servant salutes you—Felipe Fatio—Rubric—Most Excellent Señor Don José Cienfuegos.

No. 3 Jean Laffite's Diary of a Voyage to Galveston

Diary of the voyage made by no. 13 from New Orleans to Galveston

March 16, 1817. Left this city for that place.[38]

[March] 20. Put out to sea at 11 o'clock in the morning; at two o'clock met the corsair called *La Belona*[39] and learned from

[36] The next passage mentions an intercepted letter from Louis Iturribaría to Louis F. de Rieux, which confirmed information given by the Laffites, and news about Mina's expedition.

[37] The omitted matter here refers to additional enclosures containing information about the corsairs.

[38] The Spanish text uses the form "salió", or "he left". Jean used the third person in writing of his trip, but the present translator prefers to omit the pronoun "he".

[39] *La Belona* was a vessel belonging to Aury's squadron. On June 23, 1816, this corsair captured the brig *Infatigable*, as recorded by Captain Lozano in his deposition translated above. At that time Aury was gathering a squadron to take to Galveston, or some other point on the Gulf coast near New Orleans.

the captain that Mina and Aury had some arguments, as a result of which the captain of the *Belona*, according to the instructions and signals of the latter, opened fire on the former.[40] His armorer had sent with him four passengers—two of them officers—and also military supplies, etc., which could not be landed at Galveston because of a bad storm there.

[March] 23. Arrived before the port of Galveston and anchored outside the bar where there were six vessels, to wit: the corsair commanded by Aury, manned by 40 sailors, 20 officers as passengers, and some soldiers.

The *fragata Cleopatra*, in which Mina had gone from New Orleans to Galveston, with some officers and soldiers on board.

A brig, captured by a corsair from the north under the Buenos Aires flag, loaded with jerked beef, tallow, hides, and logwood (palo de Campeche).

Another brig, loaded with almost the same kind of merchandise, captured by a corsair from New Orleans, Captain Nicole.[41]

A schooner armed with a swivel cannon and loaded with agricultural implements, captured by a corsair armed in New Orleans, Captain Juan Deveze.[42]

Another loaded with lead, sugar, pepper, and $13,000 to $14,000 in silver, captured by the corsair which Beluche commands, likewise armed in New Orleans.[43]

March 27. [The following vessels] sailed from Galveston: A *fragata* loaded with troops; a sloop belonging to Aury, commanded by Jonny called Barbe enfume,[44] armed with four carronades and a crew of about 30 men.

A corsair from New Orleans, commanded by Captain Neps,[45] American, armed with 10 cannon and 70 men.

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[40] Mina had gone to New Orleans from Galveston to investigate the possibilities of an expedition against Pensacola and to obtain additional supplies. He arrived in New Orleans on February 22 and returned to Galveston on March 16 on the *Cleopatra*, Captain Hoffer, at which time the incident referred to here must have occurred. Although Aury accompanied Mina to the coast of Mexico early in April, 1817, there was at no time a close co-operation between the two leaders. Each was of a character that prevented him from acting in a subordinate role.

[41] This man was probably Nicolas Riquette, commissioned by Aury. He commanded the *Diana*, a vessel carrying 6 guns, 40 men, and sailing under a commission dated May 9, 1817 (Chew to Crawford, New Orleans, August 30, 1817, *House Documents*, 15 Cong. 1 Sess., vol. 2, p. 14).

[42] John Deveze (John Davis?), commanded the armed schooner *General Victoria* which put in at Wilmington, N. C., after an engagement on May 10, 1818, with two Spanish brigs and a felucca (*New-York Evening Post, For the Country*, June 20, 1818, p. 3, col. 1).

[43] René Beluche's vessel was the *General Arismendi*, with 5 guns and 14 men, commissioned by Bolivar on May 8, 1816 (Chew to Crawford, New Orleans, August 30, 1817, *loc. cit.*).

[44] Probably Gianni Barbafuma.

[45] The reader may venture his own guess as to the identity of Captain Neps. Copying and Spanish phonetic spelling may have garbled this name beyond recognition.

A frigate named *La Campechana,* which ran aground on leaving the bar and was driven on shore by a contrary wind, on which were several passengers, from three to four thousand muskets and 7 or 8 cannon, all the equipment of the soldiers and other objects from the prizes that had been taken.

[March] 29. The Council[46] decided to send the sloop, when the weather should permit, to salvage what it could of *La Campechana's* cargo.

[March] 30. Went on board Mina's [vessel] to deliver some letters to him and to discuss the expedition which, he [Mina] told him [Laffite], was being delayed too long in getting started in view of the favorable news he had received from Soto la Marina, the place where he was to land, and that he did not want to lose time. Having asked him [Mina] by what source he had received such information, he replied that it came from the prize taken by Beluche, on which were found private letters whose contents seemed very favorable to his plan.[47]

Having left Mina, he visited Aury who said that Mina, as soon as he arrived at Galveston, wanted to make himself master and commander in chief; that he was very far from consenting to it, nor would he ever consent, because he had been named governor by the minister Herrera, and that position and obligation belonged to him, and therefore he would not abandon his powers; that because they were not able to come to an agreement, the discord between their followers threatened to break into open conflict. But that did not last long because, having perceived that Colonel Perry had caused the discord in the hope that it might result in favor of the plan he [Aury] suspected he [Perry] had of using the 100 men at his disposal to raise the American flag on the coast of Mexico [Texas], he [Aury] immediately sought an interview with Mina and they were brought into agreement.[48]

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[46] This "council" was the governing group of the Galveston establishment which derived its shadow of authority from José Manuel de Herrera.

[47] The translation here may be incorrect. The Spanish text is vague: "Fué Bordo de Mina para entregarle unas Cartas y hablar con el sobre la Expedicion; la que le dijo le parecia tardaba en executarla por que habia recivido buenas noticias del Soto de la Marina, punto donde debia desembarcarse, y que no queria perder tiempo; habiendole preguntado por que via habia recivido aquellas noticias, contextó que por la presa hecha por Beluche, en donde encontraron Cartas particulares, cuyos contenidos le eran muy ventajosos para su Plan."

[48] The text here is again vague: "que no pudiendo ponerse de acuerdo, la desunion reinó entre sus gentes á terminos de hacerse fuego, pero que aquella no duró largo tiempo, por que habiendose apercibido que era el Coronel Perry el que habia tramado la discordia afin de que resultase á fabor de los ideas que el sospechava tenia de arbolar el Pabellon Americano en la Costa de Mexico, con 100 hombres á su disposicion, solicitó inmediatamente hablar con Mina, y se pusieron de acuerdo." Aury's agreement with Mina certainly was not the result of his fears that Perry would try to capture Texas with 100 men, although that daring filibuster was perfectly willing to try anything. Perry and Montilla forced Aury to be more friendly toward Mina, and Aury was apparently trying to save face and to explain his temporarily subordinate position at Galveston.

April 7. The vessels that compose Mina's expedition set sail after having been anchored outside the bar for 8 days [a week or so] in order to reunite the force and to collect supplies. These [vessels] are two *fragates*, two brigs with troops, and Aury's schooner commanded by himself, with a swivel cannon and six at the sides, manned by a crew of 40 men, and a landing force of another 40; the total of these he estimates at three hundred, among them from 70 to 80 French officers.

April 8. Seeing that the port was abandoned by Aury,[49] and in order better to execute the project that John Williams [Arsene Lacarriere Latour] and he had planned with No. 13 [Pierre Laffite], they named the officers and established the administration under their direction.

No. 13 [Jean Laffite] has agreed to provide them with men and supplies and to send them immediately from New Orleans in case something should prevent his bringing them himself.

[April] 10. A schooner, captured by an American corsair under the Buenos Aires flag, arrived loaded with Negroes and having supplies for not more than two days.

[April] 11. Another schooner, loaded with Negroes, captured by the same.[50]

[April] 12. The schooner that arrived on the 10th entered the port.

[April] 13. The American corsair that captured the two slavers appeared off shore.

[April] 14. The schooner that arrived the 11th entered the port.

[April] 15. The corsair anchored outside the bar.

[April] 17. No. 13 left and because of the adverse wind dropped anchor; shortly afterward four vessels were seen, and at three o'clock they anchored beside him. They were three small corsairs and a captured schooner. Each corsair had a revolving six-pounder cannon.

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[49] After this convoy left, there remained in Galveston about 25 men with nothing that could be called a fortification or harbor defense. Savary, Lafon, Rousselin, Gareau, and Montilla were among those who remained. It was from this group of adventurers that Jean Laffite recruited the officers for his 'government' to replace that left by Aury.

[50] These schooners were probably the *Enriqueta*, with 113 Negroes, and the *Petronila*, with 174 Negroes. At least, these vessels were at Galveston on May 23 (Deposition of Tiburcio Lopez, New Orleans, June 9, 1817, encl. in Fatio to Cienfuegos, New Orleans, June 9, 1817, AGI PC, leg. 1900).

[April] 18. Set sail for New Orleans.—There is a rubric.[51]

April 22, 1817. Mina has effected his landing at Soto de la Marina. During the voyage there was much suffering because of shortage of supplies.

A schooner which sailed from the north armed with a swivel cannon and a crew of 32 men, loaded with guns, powder, and other military articles for Mina's expedition, met it near the place of disembarcation. The guns and other arms are destined to be sold to the rebels.[52]

May 3. The corsair commanded by Aury appeared on the coast of Galveston; having seen many vessels in the pass, he did not dare enter, but did so after signals that were made.

[May] 4. Aury was surprised on having been informed about the new government. The members that compose it met in council, at which Aury was asked to attend. He let it be known that he was satisfied with what had been done during his absence; but that he had no desire to surrender his authority and rights, and consequently he intended and expected to be recognized as governor and treasurer-general.

The members expressed their disapproval of his pretensions, and the council dissolved without agreeing on anything. It is expected that Aury and the new administration will not be able to come to an agreement.

[May] 5. A corsair with a prize entered the port;[53] there were eight corsairs with eight prizes there.

Aury's [corsair], commanded by Jonny called Barbe en fume [Gianni Barbafuma], left to cruise.

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[51] The Diary ends with April 17, but it was continued to show additional information about what happened after Jean's departure for New Orleans. The 'amendment', which is enclosure No. 4 in Fatio to Cienfuegos, New Orleans, May 24, 1817, AGI PC, leg. 1900, continues with April 22, and was written from information furnished by Bartholomé Lafon.

[52] This vessel apparently was the *Ellen Tooker*, Captain Pond, which sailed with Mina from Galveston (Smith *et al.* v. Universal Insurance Company, *U. S. Reports*, 6 Wheaton 176-79).

[53] This corsair was probably that commanded by Captain Nicholas Jolly, a marauder who sailed without a privateering commission and so was obviously a pirate. The prize was the schooner *Evening Post*, Captain Calvin Williams. The *Evening Post* left Havana for Sisal on April 17, 1817, and was stopped by Jolly on April 21. Jolly offered Williams $900 to declare that the cargo was Spanish property, and tried to bribe Tiburcio Lopez, also on the *Evening Post*, to do likewise. Jolly put in at Galveston on May 3, according to Lopez. Louis F. de Rieux tried to browbeat Lopez into swearing that the cargo was Spanish property. When one admiralty judge refused to condemn the *Evening Post*, another was appointed. Aury finally decided that the vessel was not a legitimate prize and that Jolly should pay damages. The cargo was finally condemned but the *Evening Post* was set free and left for Baltimore on May 20 (Deposition of Tiburcio Lopez, New Orleans, June 9, 1817, encl. in Fatio to Cienfuegos, New Orleans, June 9, 1817, AGI PC, leg. 1900).

It is not possible at this time for No. 13 to give an exact account of the corsairs, their armament, nor the names of their captains and size of their crews; but he will give a detailed report as soon as he is there.—Rubric.

No. 4 The Laffite Plan to Capture the Corsairs

PLAN OF OPERATIONS

No. 13 [Pierre and Jean Laffite] desiring to strike a decisive blow not only by taking possession of the port of Galveston, the corsairs, and prizes that may be found there, and of those that may arrive later, but also to impede the collection of forces that Mina may acquire for himself in Soto de la Marina, the place of his landing, or which Aury [may acquire] at Matagorda—or Pasa de Caballos, as it is shown on the map of the Gulf—considers the following forces necessary:

A corvette, a brig, one or two schooners, and two gunboats.

The latter and a schooner are to enter and take possession of the port; the other vessels will be stationed off the bar to protect its entrance.

When the two schooners and the two launches come in sight of the port they will fly the Mexican flag, and the corvette and the brig will be a league away, flying the Spanish flag beneath the Mexican to make it seem that they are two prizes of the corsairs.

On their arrival they will meet a boat with a port pilot who will assist their entrance.

These forces should leave this port [New Orleans] separately and arrange a rendezvous at sea in order that neither the Americans nor any other vessel be able to warn the corsairs about them, and from there they will go to the bay of Santa Rosa in latitude 30°22′ north and longitude 80°26′ west of the Cadiz meridian.

The expedition should be at the appointed place from July 1 to 15 at the latest, where it will wait for a schooner with all the necessary instructions and information.

For this purpose one of the Numbers 13 will go to Galveston to inform himself about the corsairs and prizes that will be there to the end of June, communicating weekly everything that occurs; also a schooner is to go to Soto de la Marina to acquire all the information about Mina's landing, what has been its result, and

what his forces are; the same for Aury's situation [to see] if the latter has realized his intention of opening Matagorda, Pasa de Caballos, and establishing a government there, and if any corsairs have joined him and the force he may have there.

This same schooner will return here, and will be sent to Santa Rosa with the plan of operations that are to be carried out according to the news obtained from those two places, and in this manner will be secured the fortunate outcome of the project without any bloodshed on one side or the other.

As the bar does not have more than from 10 to 11 feet of water, the two schooners should not draw more than 8 or 9.

In case it is not possible to send all these forces at the time stated, the corvette, the brigantine, and the schooner, carrying cannon and men with which to arm and man a brigantine that will have been prepared and loaded with supplies outside the bar of Galveston and which may enter the port, and the schooner that they will meet in the bay of Santa Rosa, are at least necessary.

These two vessels, being known as they are by the corsairs, will be very appropriate for the surprise and capture of the port, and the other forces will be outside the bar in the manner and with the signals that will be given to the commandant, in order that the corsairs which arrive may be captured without firing a single shot.

In this way the project will be realized without any risk and with great ease; all the prizes that may be there will be captured and consequently Mina and Aury will be deprived of the forces that might aid them, and [it will be possible] to destroy the establishment that may have been made at Pasa de Cavallos.

This having occurred, all armament at this place will cease because the armorers will be discouraged with the loss of their corsairs and prizes, and the crews will be intimidated on seeing that there is a force that attacks them, that they will not be allowed to cruise with impunity as formerly, and that there is no port in which to take refuge.

Numbers 13 prefer to finish with one stroke rather than to go on catching the corsairs one by one. In the latter case they would continue to exist and would even increase because of having three ports: that of Galveston, whose proximity to New Orleans facilitates the acquisition of everything they need as well as the

sale of the cargoes of their prizes; Pasa de Cavallos and Soto de la Marina, which would require a squadron whose forces and movements they would be able to evade.

If the method indicated is executed with the greatest secrecy, no vessel in that port nor at sea will be aware of [the expedition's] destination and purpose. Any corsair which the expedition itself should meet at sea ought to be allowed to continue on its way (if that seems advisable), because they will capture it in Galveston or when it arrives there. It must not have the least suspicion nor sign [of what is to occur] because surprise and stratagem in that port must be the key to the project's success.

The Numbers 13, animated by humanitarian sentiments, desire to evade all bloodshed on one side or the other; also they desire that the crews of the corsairs that may be caught be made to understand in a conciliatory way, while being taken into port, that by being offered service in the Government's vessels they will have no reason [to resist].

This policy will produce the most useful results since it is easy to see that thereby the naval force of our vessels will be increased. Moreover, the desperate valor of the corsair crews will be dispersed, since they have been told and convinced by their captains that once taken prisoners, the Spanish Government, after a long and painful imprisonment, would send them to death on the gallows, they would prefer to lose their lives in combat where the alternative is more advantageous to them, even in the last case, than that of being prisoners.—There is a rubric.

A TOURIST'S DESCRIPTION OF LOUISIANA IN 1860

Edited by WALTER PRICHARD

INTRODUCTION

J. W. Dorr, a gentleman connected with the editorial department of the *New Orleans Crescent*, made a horse-and-buggy tour of a considerable portion of the State of Louisiana during the spring and summer of 1860. He traveled in search of health, acting as business agent for the *Crescent*, apparently seeking new subscribers to the paper in the sections of the state which he visited and soliciting advertisements from merchants in the country towns. Leaving New Orleans in the latter part of April, he proceeded by the levee road along the Mississippi as far as Pointe Coupée, along the Red River road to Natchitoches, thence to Mansfield and Shreveport, and then in a zig-zag fashion across the northern section of the state, ending his tour in Carroll parish in the northeastern corner of Louisiana, near the end of August, 1860.

Mr. Dorr was a keen observer, who knew how to write interesting descriptions of the regions through which he passed. His observations were embodied in a series of twenty-seven letters, which were published in the *Crescent* between April 30 and September 10, 1860, under the heading of "LOUISIANA IN SLICES". Each letter is labeled "From Our Special Traveling Correspondent" and signed "Tourist", and each deals with a particular parish or part of a parish. Much detailed information contained in the letters is not available elsewhere, and this fact is ample justification for republication of them here. The readers of the *Quarterly* will find in the letters a wide variety of information on crops, weather, scenery, towns and villages, leading planters and merchants, schools, churches, newspapers, professional men, parish and town officers, hotel accommodations, difficulties of travel, and frequent observations on the political situation at a time when the momentous presidential campaign of 1860 was beginning to warm up in Louisiana.

Little biographical data on the previous and subsequent career of J. W. Dorr is available. His first appearance in the New

Orleans Directory is in 1859, when he is listed as an "advertising agent", located at 99 Gravier Street.[1] In 1860, the year in which he made his tour of Louisiana, he is listed as connected with the "Crescent newspaper", and residing on Terpsichore, near St. Charles Street.[2] In 1861 he is listed as "Assistant Editor, *New Orleans Crescent*", at 70 Camp Street.[3] But long before the year 1861 had passed, he appears to have transferred to the *Mobile Evening News*, as evidenced by the fact that a contribution signed by him appears in that paper.[4] No further information on his subsequent career has been found. The letters here published amply demonstrate his ability as a reporter of observations made in a section of country which appears to have been entirely unfamiliar to him prior to his tour.

When Mr. Dorr was starting on his tour, the *Crescent* introduced him to its readers in the following manner:[5]

To The Interior Public of Louisiana

Mr. Dorr, a gentleman connected with the editorial department of this journal, is now making the tour of Louisiana. During the spring and summer he will visit, if possible within such period, every town and Post-office in the State as the special correspondent of the *Crescent*. His regularly published letters will furnish descriptions of the different towns and settlements, and information as to the present agricultural and industrial condition of the various parishes, their crops, natural aspects, quality of their lands, etc. It is believed that this enterprise will supply to the readers of the *Crescent* a more comprehensive, accurate and satisfactory knowledge of all parts of Louisiana than can be obtained from any published source now in existence.

The undertaking is an arduous one, and that it may be carried out as successfully as possible, we hope that the many good friends and patrons of the *Crescent*, and the interior public generally, will speed our exploring representative on his way, by affording him all the information and assistance in their power in prosecuting the objects of his pilgrimage to their respective localities.

The letters of "*Tourist*", written as he "buggies through the State"—two of which are on our first page—will be

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[1] *Gardner's New Orleans Directory for 1859*, p. 94.

[2] *Ibid.*, 1860, p. 123.

[3] *Ibid.*, 1861, p. 142.

[4] *New Orleans Daily Crescent*, August 19, 1861, contains a poem, "Manassas", signed "J. W. Dorr", and copied from the *Mobile Evening News*, which seems to prove that Dorr was at that time connected with that paper, or at least that he was no longer engaged on the *Crescent*.

[5] *Daily Crescent*, April 30, 1860.

promptly published in the Daily and Weekly Crescent, for either of which publications he will transact any business that may fall in his way among our friends in the interior.

In transcribing the letters from the *Crescent* for publication in the *Quarterly*, the editor has corrected some obvious errors in the spelling of proper names, which had crept into the original on account of the inability of the typesetters to decipher some of the handwriting of Mr. Dorr. Otherwise, the bodies of the letters are reproduced exactly as they appear in the *Crescent* of 1860. A few items that are repeated at the head and foot of each letter in the *Crescent*, such as "Louisiana in Slices", "From Our Special Traveling Correspondent", and "Tourist", are omitted here to avoid tedious repetition.

LOUISIANA IN SLICES

Number I.[6]

PARISH OF ST. CHARLES

Up the Coast—The Scenery—Statistics—Parish Seat—The Large Planters—The Crops, Levee, etc., etc.

(From our Special Traveling Correspondent.)

ST. CHARLES COURT-HOUSE, April 26, 1860.

Dear Crescent—I thus begin serving up to you the first slice of Louisiana, intending to keep on doing so, if horse-flesh and your correspondent hold out, until I have cooked up in style, which I hope will suit the taste of your readers, the whole of the State. Since Wednesday morning, when I left the city and the Crescent office behind me, crossed the river at the Stock Landing and started with all the State before me, I have been buggying along the levee "up the coast", amid the charming and peculiar scenery of that region.

There are many in New Orleans who have lived there many more years than your correspondent, who have a very poor idea as to what the "coast" is. They fancy they have seen it from the deck of steamers plying on the river, but they are mistaken. They have only had glimpses of the country and dissolving views of the tops of the houses behind the high levee as they dashed past. To see

[6] From *Daily Crescent*, April 30, 1860.

and appreciate this Acadian land they should be behind a good horse and rattle along the levee road, which is now as smooth as the New Canal shell road. A constant succession of wealthy estates keep the interest alive, for there are few of them that will not repay pausing to admire. Splendid old homesteads dot the road at the distance of a quarter of a mile apart, the out-buildings, negro quarters, etc., forming at each a considerable village, so that the road up the coast is almost like a street of a vast, thinly built city. The plantations having a narrow front on the river and running far back, the houses are thus brought close together, and render the levee road a suburban avenue unequaled in the world, bordered on one side, as it is, by the unequaled river of the world, the clustering steamers and other crafts on which give an animated variety to the changeful scenery.

It is no sort of use for me to attempt to describe any of the splendid residences of the princely planters, for during yesterday's journey I passed dozens, each worthy more than a passing notice. All that tasteful architecture, ornamental shrubbery and magnificent moss-hung trees can do towards the beautifying of the sugar planters' residences in Jefferson and St. Charles parishes, as far as I have been, is effected. The farther I go from the city the more costly, elaborate and extensive the planters' houses seem to be. Seven or eight miles above the city the estates begin to show the most striking evidences of wealthy and refined occupancy, though there are a few fine places in the lower part of Jefferson parish.

Since I have been traveling up this "coast" it has occurred to me that people who take the trouble to travel thousands or hundreds of miles from New Orleans to find some pleasant and healthful locality to sojourn or settle, are taking a great deal of unnecessary and unremunerative trouble, for they can certainly find nowhere else a more delightful country than they have right at their doors. Along the pathway of the wide river a constant current of cool air pours above its rolling tide below, and thus the temperature is kept comfortable in the warmest season. A continual draft is created by the cool air of the river rushing across the banks to supply the heated interior.

St. Charles Parish

I write you, vide date, from St. Charles Court House, where is located one of the three post-offices which the parish boasts. This

"village" contains the court-house building and jail, which are of recent construction, and well and quite handsomely built of brick, and some five or six houses, one of which is occupied as a store. The settlement is twenty-nine miles from New Orleans. The other post-offices are McCutcheon's Landing, on the left bank, opposite this place, and Taylor's on the right bank, thirty-six miles from New Orleans.

The value of real estate held by residents of the Parish of St. Charles is $1,646,900, and of non-residents $56,366. These figures are legally correct, and are one year later returns than have been published by the Auditor of the State. The value of slaves $2,053,300; of cattle, $25,200; of carriages and vehicles $8450; of capital invested in trade $15,000. This last item is very small, for New Orleans is too near to give country dealers much chance. The few stores in the parish are nearly all scattered along the levee four or five miles apart, and are small affairs. The largest and best stocked concern that I have yet seen is that of J. B. Gassen, at Gassen's Landing and Ferry, twenty-six miles above the city. The other stores in the parish are Levet's, Bistoul's, Vial's and Labat's, all on the right bank of the river, and Boutte's back on the Opelousas Railroad. Thus, you perceive, "merchandising" is a very inferior interest in these parts.

The area of the Parish of St. Charles is 81,413 acres, of which 45,884 acres is under cultivation, and 35,529 uncultivated. About 38,000 acres are in cane; about 6000 in corn, and three or four hundred in rice. These are very nearly accurate, their deviation from actual fact being so trifling as to be of no general consequence. The total population of the Parish is about 5000, of whom about 900 are whites, 3719 slaves and about 200 free colored. The Parish pays about $12,000 taxes, of which the mill tax, for the support of public schools, amounts to about $3800. There are three public school districts in the Parish, and one school in each, and the number of educable children is about three hundred.

The Parish officers of St. Charles are—Samuel McCutcheon, President of the Police Jury, whose post-office is at McCutcheon's Landing; and Messrs. Noel St. Martin, Sheriff; C. St. Martin, Clerk District Court, and Parish Treasurer also, and Emile Tastet, Recorder, whose post-office address is St. Charles Court-House. Among the "solid men" of the parish, are the following, some of whom are very "solid" in the matters of money, lands and negroes: Messrs. George Wailes, Sosthene Deneufbourg, Webb & Broaddus,

Francis Webb, W. B. Whitehead, Charles Davenport, Chauvin, Levois & Co., Francis Bougere, Troxler Brothers, George E. Payne, Richard Taylor, Louis Ranson, A. Lanfear, Meyronne Brothers, Gautier & Ory, P. Sauvé, Ezra Davis, Nosin Zeringue, Montegut & Lagrove, P. A. Rost, George Pincard, E. F. Labranche & Co., J. W. & S. McCutcheon, Pierre Soniat, Octave LaBranche, Lestang Sarpy, A. Duplantier, George R. Price and Henry Frellson. There are quite a number of rich widows in the parish, I am told, so rich that they deserve to be ranked among the "solid men", but I will not give their names, lest they and the other good people of the parish should be afflicted with an invasion of fortune-hunting bachelors.

THE CROPS, LEVEES, ETC.

The planters are complaining very much of the backwardness of the rattoon cane in coming up, and the scattering and imperfect manner in which it does come. The plant cane, however, is very promising, and the general prospect of the crop, at this early date, is accounted good. Corn is looking very finely.

The levee all along, so far, is in splendid condition. The fracture made by the Labranche crevasse is most thoroughly healed, and like the whole of the levee from the city up to this point, will defy all that any flood can do against it.

My next letter will be from the parish seat of St. John the Baptist fourteen miles from here.

Number II.[7]

PARISH OF ST. JOHN THE BAPTIST

Up the Coast—Sunday Matters—The Parish Seat—Post-Offices—Statistics, etc.—Solid Men—Crops—Levees.

Court House, Edgard P. O.,
St. John the Baptist Parish, April 27, 1860.

Dear Crescent—Since my date yesterday at the Court-house of St. Charles parish, I have taken it easy and unraveled about fifteen miles more of the winding route of the Mississippi. The road is still pleasant, but not as delightfully so as in St. Charles parish. The planters hereabout do not seem to take quite as much pains in beautifying their homesteads, and they are rather very fine, com-

[7] *Ibid.*, April 30, 1860.

modious farmhouses than splendidly ornamented villas, as so many of them are in St. Charles. There are, however, some very beautiful places in this parish. There is a much greater proportion of people of small means in this parish than in St. Charles, and more free colored; and, indeed, it is nearly twice as populous. There are a good many people along the levee who appear to rely principally on the catfishery and woodchopping for the steamboats for a livelihood, and consequently don't thrive very prosperously.

The only thing I see to object to in this parish is the dogs, their quantity and quality; but I hardly dare to say what I think of them, for so fashionable is it to find fault with what the papers say nowadays, that even the dogs of St. John the Baptist might get after me for libellous publication. But I will remark that if Cassius had had an idea of what the vagrom dogs of St. John are, he would never have remarked that he "had rather be a dog" "than such a Roman", for he would rather have been any sort of a Roman than such a dog. The meanest of loafing, houseless, homely, sausage-fearing city curs, would hold up his head in their company and put on city airs, justly esteeming himself a better article of dog, a more elevated type of the canine species. Perhaps, though, my feelings are embittered toward the dogs of this region, by the fact that having bought one of them for a small consideration, intending to preserve him as a rare specimen of canine worthlessness, the creature gnawed off a halter worth more than himself with which I tied him behind my buggy, and left your correspondent in the lurch. Hence I conclude that he was of the variety known as "lurcher".

I notice, too, a peculiarity in fence making, not alone in this parish, but all along the river, which strikes me very forcibly. This is a way the fence builders have of driving the nail through the string-piece first and into the picket afterward. Why this should be done I don't know, unless the negro carpenters on the plantations are afraid that someone will steal the nails if they leave the heads on the outside of the fence. But the way they make the fences is none of my business. They don't belong to me.

The Parish Seat

Edgard Post-office, forty-two miles above New Orleans, one of the two post-offices of the parish of St. John—Bonnet Carré, on the left bank, five miles below, being the other. That settlement

is about the size of this. Here are some ninety or a hundred buildings, scattered along the levee road, two or three pretty nice stores, the parish buildings, well built of brick, a neat Catholic church, and a graveyard of considerable extent and well filled with its silent inhabitants. Some of the monuments are fine. The mails to and from the post-office are carried three times a week.

There are two newspapers published in the parish, "La Jeunne Amerique", at Bonnet Carré, and "La Meschacébé", at this place. There are eight public schools in the parish, four on each bank, and eight school districts. The mill tax for the support of schools amounts to nearly $4500, and the number of educable children is nearly seven hundred. The whole tax paid by the parish into the coffers of the State is about $15,000, and the parish tax is between five and six thousand dollars.

The total value of property in the parish is returned at about $4,500,000, half of which is the value of slaves, of whom there are over 4000 to about three thousand whites. The mercantile interest in this parish is of much greater importance than in St. Charles, numerous stores being scattered along the levee road at comparatively brief intervals. Wherever the middling classes are a considerable proportion of the population, there the country stores are numerous; where the wealthy planters predominate, they are scarce, for everything that the planter does not raise on his estate he purchases in the city, and there the planters' ladies go to do their shopping.

There are a large number of fine estates in St. John—as the "Belle Point" place of A. Deslonde, "Mount Airy", owned by Joseph Lebourgeois, "Esperance" place, by Dr. Loughborough, and others not inferior, if not dignified with names. Among the heavy planters of the parish are the following, and most of them are heavy: Thos. May, Jr., Octave Hymel, Francis Webber & Co., V. B. Marmillion, L. Becknel, Col. Whitehead, Dr. A. G. Wiendahle, A. LaBranche, A. Deslonde, Samuel Hollingsworth & Co., J. Picou & Co., L. Montegut, Louque Delhommer, Similien LaBranche, E. Daunnois, F. Vicknair & Bros., E. B. Marmillion, David Adams, Dr. Loughborough, Welham & Godberry, Joseph Lebourgeois and M. Perilloux. The planters, constituting the staple population of the parish, are, almost to a man, of the old Creole-gentleman type—hospitable, chivalrous and high-spirited. The Anglo-Americans are few.

The following are the chief officers of the parish at present: P. A. Becknel, President Police Jury; U. Jacob, Sheriff; H. Trepagnier, Treasurer and Clerk; A. Soraparu, Recorder.

CROPS, LEVEE

The planters make the same complaint that those of St. Charles do, to-wit: that the rattoon cane is slow and imperfect in sprouting. The plant cane looks well everywhere. So does corn.

The levees are in good condition, but do not seem to me to be as carefully and strongly constructed, and well cared for as lower down the river.

Number III.[8]

PARISH OF ST. JAMES

Up the Coast—The Scenery, etc.—Plantation Aspects—Negro Houses—Stock—Self and Horse—Parish of St. James—Princely Estates—The Convent and Jefferson College—Statistics—The Crops, etc.

Cantrelle P. O., Parish Seat of St. James,
April 28, 1860.

Ed. Crescent—The further I journey up the Coast, the more anxious do I feel to vindicate this beautiful country from the aspersions cast upon it by tourists who dash down the Mississippi in steamboats, and very likely fall asleep in their berths, and dismiss the matter with the favorite form of words, viz: "The banks of the Lower Mississippi are low and monotonous, and the scenery tame and uninteresting". So the picture doubtless looks to them from their point of view, framed as it is in the foregound with the muddy and rubbish-covered banks of the river outside the levee mound. But let them travel inside the levee, and through this paradaisiacal climax of luxurious plantation rurality, and if they do not admire the aspects of the scenery—the splendid villa-like or castle-like mansions of the planters, the cheerful and comfortable villages of negro houses, the magnificent old trees with their wavy glory of moss, the beautiful gardens filled with the rarest shrubs and plants, the affluent vegetation of the broad fields, the abundant greenery with which lavish nature coats every inch of this prolific soil—if they do not admire this on the one hand, and on the other the broad

[8] *Ibid.*, May 3, 1860.

tide of the Father of Waters swelling through the long reaches of its winding channel and dotted with steamers or other craft, we will set them down as travelers either of no taste or so filled with prejudice as to be determined not to see anything worthy of admiration in any part of the South.

The forces of the different plantations are very busy hoeing the cane at this time, and on some of them I remark long ranks of fifty to a hundred negroes, hoe in hand, working across the fields with almost the precision of military drill. Of course, estates which can have so many hands detached for one duty belong to the largest class. The exceedingly neat, spacious and comfortable character of the negro quarters all along up the coast should be especially mentioned. I have noted some of these villages containing thirty, forty or fifty houses each, every one of which would rent for from $12 to $16 per month, according to the part of New Orleans in which it might be situated.

Every plantation seems to have its flock of sheep, and in many instances this stock is nearly pure South-down breed. The cattle, too, are fine stock. The carriage horses of the planters are splendid animals; and, for plantation riding, they generally use the strong and hardy and easy-going, but not very handsome, horses of the Attakapas breed. I constantly meet establishments spinning along the levee road which would be especially remarked even "on the shell" in New Orleans; and I long since discovered that "Tourist" flattered himself most grossly when he fancied that his rather dashing turnout would attract attention in the country, or show its hind wheels to the most of roadway travelers. I "draw it mild" now, have my horse's hair curried the wrong way, cultivate an humble demeanor, both in horse and driver; give the road to every one, and when I have to pass an ox-team, do it in as conciliatory and apologetic a manner as possible. Thus I hope to convey an impression that I object to fast and fancy horses, and wouldn't have one on any account; and that I selected "Crescent" (for so I have christened my gallant steed) for certain marvelous and mysterious qualities of strength and endurance, and that they are certainly in him even if not strikingly apparent to the observer of his "points". Thus I may inspire respect, if not wonder and admiration.

The Parish Seat, etc.

"Cantrelle" is the name of the post-office at the parish seat of St. James, and here are clustered a few houses. The court-house

building is an unpretending but properly adapted erection. Cantrelle is on the right bank, sixty-five miles above New Orleans. The "Vacherie Road", fifty-five miles, is the other post-office on the right bank, and on the left are "Grand Point", fifty-five miles, "Convent", sixty-three miles, and "Touro's", seventy-three miles above New Orleans. There is no settlement large enough to be called a town in the parish, which is quite a rich one. Its area of territory on either side of the river is about equal in extent. Its eastern border reaches Lake Maurepas, and its western nearly reaches the great Bayou Lafourche. In this parish are many very extensive sugar estates, among the largest of them being those of Messrs. Henry J. Roman, Riggins, John S. Armant, Locoul & Duparc, Valcour Aimé, John Burnside, Fortier & Bro., Alexis Ferry, V. Choppin, E. & S. J. Roman, A. B. Roman, Mrs. Robin Delogny, E. J. Forstall, Messrs. Webre, B. Lapice & Bros., Mrs. Winchester, C. M. Shepherd, Watson & Lapice, Mrs. Humphries, Mather Bros., L. LeBourgeois, W. P. Welham, Mrs. Fagot, J. Druilhet & Son, Octave Colomb, W. Wilkins, N. Landry, Mrs. Tureaud & Son, and others. You can fancy how well improved the parish is, with so many heavy establishments in it—so heavy that no one I have mentioned weighs less than four hundred thousand, I suppose, ranging from that small sum up among the millions. The residences on most of these plantations are really magnificent. I noticed particularly, in passing up the right bank, that of Mr. Valcour Aimé, and made a more near and lengthened inspection of the homestead of Mr. Henry J. Roman, which is one of the handsomest, most costly and tasteful on the coast, and where its hospitable and youthful proprietor lives in solitary state, surrounded by all the appointments of wealth and refinement. I would have known him for a gentleman of taste if by no other sign than the sight of the "Daily Crescent" on a table as soon as I entered the house. The avenue of ancient live-oak on this plantation is one of the most magnificent on the coast, and the grounds are a paradise of rare and beautiful plants, trees and shrubs.

The convent of St. Michael, conducted by the Sisters of the Sacred Heart, Mère Channon, Superior, is situated on the left bank of the river, 63 miles above New Orleans. It is a very elegant and extensive building, and its handsome front is one of the most prominent landmarks on the river. Here the fair daughters of the coast add the graces and accomplishments of education and refinement to the charms which are their natural inheritance. The convent

was established between thirty and forty years since. There are now about two hundred and fifty pupils attending.

Two miles below the Convent is Jefferson College. This institution was not in operation for a lengthened period, but the buildings and grounds having been purchased by Mr. Valcour Aimé, a wealthy and public spirited gentleman of the parish, it was reopened last fall with Mr. Dhugué as President. The buildings are roomy, substantial and in thorough repair, and every way calculated for the purposes of an educational institution. There are about fifty students attending this first term of the College. If there were enough such men as Mr. Aimé in the South, there would be no lack of educational advantages.

The assessed value of property in the parish of St. James is about $8,500,000 in round numbers. It pays a State tax of about $27,000, of which the mill tax for the support of public schools amounts to over $8000, and over $2000 goes to the internal improvement fund. There are eight school districts, and ten public schools, and the number of educable children is over sixteen hundred. The total of the population is between eleven and twelve thousand, nearly eight thousand of whom are slaves, whose assessed value is about four million dollars. Territorial area of the parish is 123,365 acres, of which about 26,000 are in cane, 16,000 in corn and 80,000 odd uncultivated.

There is one newspaper printed in the parish—"Le Messager", —a well conducted sheet, published by Moroy & Lagardére. There are six sugar refineries, most of them conducted on an extensive scale, viz: those of Valcour Aime, E. J. Forstall, E. & L. J. Roman, B. Lapice & Bro., Mrs. Winchester and E. C. E. Mire. Three sawmills, that of Severin Tregue, on the right bank, and those of Emile Jacob and George Moore, on the left. Two Catholic churches, Rev. M. Vionet being the pastor of that near the convent on the left bank, and Rev. E. Lecuru, of that at the parish seat, Cantrelle post-office on the right bank. The chief officers of the parish are Victor J. Forstall, Esq., President of the Police Jury; Sosthene Theriot, Sheriff; T. S. Gaudet, Clerk; V. E. Villavaso, Treasurer, and J. B. Ferchaud, Recorder.

The Crops

Some complaint among the planters of the rattoon cane, as in the parishes below. Plant cane looking well. Ditto corn. Levees generally in tip-top order.

My next letter will be, nothing happening, from Donaldsonville, Ascension parish, eighty-two miles above New Orleans.

Number IV.[9]

PARISH OF ASCENSION

"Up the Coast"—Bayou Lafourche—Donaldsonville—Its Merchants, Public Buildings, etc.—Hint to Travelers—Parish of Ascension—Its Agriculture, etc.—The Houmas Grant—A Railroad Enterprise—The Crops—Politics.

Donaldsonville, Ascension Parish,

April 30, 1860.

Ed. Crescent—I have traced up the snaky windings of the great river, which lays loose about the country as if it was flung down in a random coil from the hands of the Architect of the Universe, until I have made my grand *entrée* into the first town which graces its banks above Jefferson City—Donaldsonville being a town proper, for it is incorporated. It is the parish seat of Ascension, one corner of which juts across to the right bank of the river; the great body of the parish being on the east, and running back eastward to Lake Maurepas and the Amite River. On the western corner stands Donaldsonville, just at the point where the river throws off one of the upper mouths of its vast delta—the great Bayou Lafourche, which, leaving the river at this place, takes its course to the Gulf by a navigable channel of a hundred and thirty or forty miles to the Gulf shore, in the parish of Terrebonne—its banks lined, for a distance of seventy miles below Donaldsonville, with the finest plantations of the fertile section through which it passes. It is crossed here by a well-constructed drawbridge, which lets the steamers out and in, and the road travelers over.

Donaldsonville is a well-built town of about two thousand inhabitants. It is laid out with right-angular regularity, and the streets are very pleasant, handsome residences being not unfrequent upon them, and handsome trees everywhere; snug and cosy dwellings, nestling amid flowers and foliage, in a way quite intoxicating to the *blasé* denizen of brick-and-mortardom, affected with the countryphobia which attacks most city dwellers about once a year in the same season that dogs have the hydrophobia. The pop-

[9] *Ibid.*, May 7, 1860.

ulation of Donaldsonville is almost exclusively Creole, there being but a small proportionate infusion of the Anglo-American breed of bipeds.

It is an exceedingly quiet place, and but few of its people appear to be engaged in any business or occupation, but live along in a quiet, uncaring and seemingly comfortable way, very aggravating and very mysterious to the sort of persons who are always pulling with all their might and main to make both ends meet and never succeed in bringing the perplexing termini quite to a satisfactory junction. The principal business of the town is done by N. Maurin, J. R. Fayette and J. Gourdan, wholesale and retail grocers and dealers in plantation supplies; A. M. Templet, Schender & Landry and B. Mollere, general merchandise; and L. Lion, Murx & Elie, L. Kahn and S. Sterne, dry goods. There are a number of small shops, and a full assortment of bar-rooms, from the large concerns which retail at a dime a drink to the small ones which wholesale at a picayune a dose, thus "doing for" unwary, reckless or suicidally disposed flatboatmen on the easiest terms.

Donaldsonville has a finely and substantially constructed wharf, the first this side of New Orleans on the right bank, and boasts two hotels—Jarry's House, a quiet, well-conducted establishment, and the Planters' Hotel, a roaring concern if there ever was one, with a popular five cent bar, a popular cock-pit in the yard and a popular rush of all sorts of populace playing "kino" all day Sunday in the bar-room, a cock-fight coming off in the pit at stated intervals of one hour from morn till night. There is a spacious and handsomely built market house in the town, two churches and an institution conducted as a school by the Sisters of Charity, Sister Clara, Directress. The Catholic Church is a large brick building, with two massive but low towers flanking the front. Its interior aspect, with its vaulted roof, heavy pillars and deep chancel, is rather impressive. Rev. Mr. Andrew is the presiding minister. The Protestant Episcopal Church has a small congregation here, and services are conducted every alternate Sunday in a small church edifice by Rev. Mr. Phillips. There is also an Israelitish congregation, which was incorporated by a recent Legislature. An U. S. Surveyor-General's office is located here.

The Court-House building is handsome and massive, and with the mention of the armory and drill-room buildings of that ancient and excellent company, the Cannoneers of Donaldsonville, we com-

plete our list of the public buildings of the town, of which Octave Ferrio, Esq., is Mayor, and Mr. Andrew Gingry, Postmaster, and a most admirable and estimable Postmaster he is.

Le Drapeau de L'Ascension is published here, in French, by Mr. Superveille; and there is another paper in the parish—The Acadian—a lively sheet, done in English at New River, by Mr. Philip Winfree. New River Post-Office is on the left bank of the river, eight miles above Donaldsonville, and ninety miles from New Orleans. The settlement there is a small hamlet. The other post-offices of the parish are Live Oak, in the country, eight miles east of New River, and Tureaud, on the river bank, and just on the boundary line between Ascension and St. James, seventy-five miles from the city. At New River there is a Presbyterian Church, under the pastoral charge of Rev. Mr. McKinney.

Ascension is one of the largest sugar-producing parishes in the State, there being but three others which ordinarily make heavier crops. In the eastern part of it lay nearly the whole of the lands covered by the famous Houmas Land Grant, which several persons have heard considerable of before now. There are a large number of small farmers and poor settlers on these lands, which are valuable. The total area of Ascension parish is the extent of nearly 125,000 acres, of which about 85,000 are uncultivated, about 20,000 in cane, 17,000 in corn, and 400 in cotton. The cotton culture is carried on on a small scale by small planters, located at a distance from the river banks, who cannot afford to go into the heavier business of sugar-making. The communication of the residents of the eastern part of the parish with New Orleans is frequently by way of the lakes, across Lake Maurepas, through Pass Manchac, and into Pontchartrain.

The assessed value of property in Ascension is nearly $9,000,000, and it pays a State tax of over $28,000, of which the mill tax for the support of public schools constitutes about one third—nearly $9000. There are eight school districts and twelve public schools and about 1300 educable children in the parish. The total population is between fourteen and fifteen thousand, of whom about seven thousand are slaves. There are four sugar refineries on a large scale, on the plantations of Messrs. Kenner, McCall, Hewitt and M'me Bringier; and a number of the most magnificent sugar estates in Louisiana are in this parish, chief among which may be mentioned the great plantations of Messrs. Burnside, Ken-

ner, T. Landry, N. Landry, V. Landry, Manning, McCall, J. Hewitt, Doyle, Ventress, Jno. R. Thompson, Dr. Duffel, M'me Bringier, etc.

There is some talk, but nothing more practical has as yet been done in the premises, about running a railroad from the mouth of Bayou Lafourche at Donaldsonville, due west, twenty-eight miles, to the waters of Grand river, through the lower part of the parish of Iberville, and just on the upper border of Assumption. This road would open a large body of very valuable lands, all of which are in private hands and would be immensely and immediately appreciated by the construction of the road. As it is, these lands are being rapidly cleared and brought under cultivation.

The Crops

There is less complaint of the rattoon cane up here than lower down the river, and it looks to me, as I ride along, more promising than in the parishes below. The plant cane looks well everywhere and has sprouted up bravely to the average height of 16 to 20 inches. Corn is flourishing more than a green bay tree ever did.

Politics

I do not have much time to talk politics as I work along, but I take the "sense of the people", when I have a chance, and find that nobody is in favor of anybody in particular, but almost all are willing and rather anxious to support Douglas if nominated—except one big, two-fisted sovereign in Donaldsonville, who says that "John C. Heenan and nary yuther man shall hev my vote, that's so!"

Number V.[10]

PARISH OF IBERVILLE

Up the River—A Wayfarer's Mishap—Bayou Goula, its Hotels—Plaquemine, its business, good people, hotels, newspapers, editors, churches and everything else—Bayou Plaquemine—The Parish, its general statistics—Heavy Planters, etc.—The crops.

Plaquemine, Iberville Parish,
May 2, 1860.

Mr. Editor—I will write from the town of Plaquemine, the courthouse seat of the great Parish of Iberville, which is next to

[10] *Ibid.*, May 7, 1860.

the largest sugar producing parish in the State. Plaquemine is 111 miles above New Orleans and 29 miles above Donaldsonville, whence I wrote last. Leaving Donaldsonville, I made my way along the Levee road through the richly cultivated territory of Ascension and Iberville to the village of Bayou Goula, before reaching which place the first "moving incident by field or flood" which has yet happened to your locomotive correspondent befell him. Taking his noontide lunch, luxuriously reclining beneath a shady tree, *(recubans sub tegmine fagi)* the softness of the atmosphere and the grass tempted to a nap, from which the tourist was aroused to discover that a motherly and kind-hearted looking, but epicurean, cow had chewed up into illegibility and uselessness his wayside note-book, a "cud" in which there were certain "bitter reflections", and had begun on his pocket-handkerchief with a will and appetite, which indicated its early disposition. Lest himself should be the next sacrifice to that omniverous appetite, the tourist immediately adjourned that meeting *sine die*, making the cow-part of the assemblage a present of what was left of the handkerchief.

Bayou Goula is a pleasant looking but very loosely settled place. It looks as if it had been fired off at random and scattered along the coast. There are several well stocked stores there; some nice looking residences, and two hotels of considerable dimensions, named respectively, "The Bayou Goula Hotel" and "The Buena Vista Hotel", but it is hard to say how they are supported. I stopped at the house with the battle name. The dancing hall and the dining hall at this hotel are painted in a highly elaborate and ornamental manner. I gazed at this art work in speechless admiration for a minute or two, and asked a dingy looking and half fuddled or sleepy attendant, "What did they do to the man who painted this hall?" "Give him two tree hundred dollar. He dead now, believe." "Served him right", muttered the tourist; " 'the evil men do lives after them—the good is often interred with their bones.' " "Sir?" "Nothing—show me my room". The post-office at Bayou Goula is an exceedingly neat and well appointed establishment.

I shall either have to devote two letters to Iberville parish or fail to do it justice, for the town of Plaquemine alone deserves a full letter. It is situated at the junction of Bayou Plaquemine, another of the vagrant mouths of the Mississippi, with the river, and through it sweeps with a strong current a body of water which eventually finds its way to the Gulf at Berwick's Bay, coursing down the rich Attakapas parishes. It is a well built,

thriving and bustling town, doing a great business with a populous back country. There are a number of fine brick stores here, and the principal—and a very heavy business, too—is done by Messrs. J. McWilliams & Co., Roth, Deblieux & Co., Ross & Gallagher, Haase & Bro., Kahn & Bros., L. Kahn, Stockley & Delavallade, and Messrs. Heelein & Jennings, who are forwarding and commission merchants. There are two hotels, the "Iberville Hotel", kept by Philip Heelein, near the steamboat landing, a well managed, cleanly and comfortable institution, and the "Tuttle House", a very handsome building, and elegant and luxurious house of entertainment. There are one or more establishments, also, where "entertainment for travelers and storage for trunks" may be had.

There are two newspapers in the place, "The Weekly Magnolia", a recently established and handsome sheet, by Mr. Joseph A. Breaux, a young gentleman of ability and energy to publish a good paper, and the "Gazette and Sentinel", a fine old journal, with which everybody in Louisiana is acquainted, by Messrs. Bradburn & Jenkins, with each of whom, also, almost everybody in Louisiana, not to speak of other States, is acquainted. They are both veteran publishers, and the senior, Mr. Bradburn, has conducted this paper for twelve years with great ability and success. This correspondent will never forgive him for the delightful evening passed at his pleasant and hospitable residence. Mr. W. P. Bradburn has a checkered life to look back upon, like many editors. The earlier portion of it, during several years, was passed as a midshipman in the U. S. Navy, but promotion being slow then as now, and peaceful times affording no chance for a broken head and glory, he cut the service to engage as an officer in the Texan struggle for liberty. Now he has settled down into as comfortable and quiet a haven of rest and emolument as a storm-tossed mariner could desire.

The "Gazette and Sentinel" will be published as a campaign paper from the 5th May, instant, to the 15th November, at $2 per copy, and those who wish to be kept posted on interior politics by an ably conducted journal, should take this. Mr. P. E. Jenkins, the junior of the publishing firm, we put down as the most industrious man in the United States, not to mention that he is one of the best and cleverest. Not only is he a publisher, but he is Mayor of Plaquemine, Postmaster of Plaquemine, and a member of the firm of Heelein & Jenkins, but he attends to a little of everything in the town, besides being deeply interested in the conduct of a large

dairy farm in another State. Notwithstanding he has so many irons in the fire, he has the wonderful knack of keeping them all hot. I understand that they are likely to run the poor fellow for Mayor again, though he has had the office for four years.

There is a good working lodge of Masons in Plaquemine. There are three churches—Methodist, Presbyterian and Catholic. The edifices are fine, the two latter being of brick, and the societies prosperous. The Catholic Church, to replace one burned, is a very handsome, spacious and costly structure, which would be an object of architectural note even in New Orleans. It is to be supplied with a $14,000 organ. Rev. Mr. Tollet has charge of the Catholic congregation; Rev. Mr. Selleck of the Presbyterian, and Rev. Mr. Godwyn of the Methodist. There are two educational institutes here—one conducted by the Sisters of Charity, and entitled the Convent of the Holy Cross, and the other, which occupies a very handsomely and substantially constructed and well furnished building, by Rev. Mr. Selleck, the Presbyterian clergyman. Plaquemine is indebted to Mrs. Dickinson, a liberal and accomplished Christian lady, who resides here, for this last admirable institution, for she established it, and, should it need her support, would sustain it to any amount. Plaquemine is, altogether, a very delightful place, beautiful, particularly in its suburban precincts, with many handsome residences. Its population is about one thousand, and it has the reputation of being a remarkably healthy locality; and, speaking sanitarily, I may mention that here are located Dr. Hall and Dr. Hiriart, the former brother of the junior of those prosperous New Orleans patrons of the Crescent, the well known firm of A. F. Cochran & Hall, and the latter a brother of the editor and proprietor of the New Orleans Courier.

The Mississippi, too, seems to think Plaquemine a nice place, nice enough to eat for it is continually biting mouthfuls out of its river border and compelling the people to look well to their levees. Bayou Plaquemine is a troublesome neighbor also, with its powerful current, for it is gnawing away at its banks continually. Four new levees have had to be built on its banks within the town in four years past. Both the Plaqueminians and the Ibervillians, generally, are very desirous that it should be closed, and the measure has been repeatedly defeated in the Legislature, the representatives of property interests on the river below being averse to having a thing done which would, they think, increase the volume of water in the river. Should it be closed much land in the interior could be re-

claimed for cultivation, and in such event it is proposed to run a railroad from Plaquemine back into the country to the waters of the Teche.

The Parish Generally

The assessed value of property in the parish of Iberville is about $14,000,000 in round numbers, and it pays a State tax of about $44,000, about $14,000 of which is the mill tax, for the support of public schools. There were, last year, but three public schools in the parish, however, though there are several prosperous private schools. There are 272,144 acres of land in the parish, of which, over 210,000 uncultivated, about 33,000 in cane; 22,000, in corn, and 1500 in cotton. In 1859, Iberville made over 28,000 hogsheads of sugar; over 50,000 barrels of molasses; about 600,000 bushels of corn, and 920 bales of cotton. The total population, something more than 16,000, of whom only about 5600 are whites; over 10,000 being slaves. There are some 200 free negroes in the parish. The number of educable children is near 2000.

The post-offices of the Parish are located at Plaquemine; at "Bayou Goula", 12 miles below, on the right bank, and 99 miles above New Orleans; at "Rosedale", 30 miles in the interior, on the Gross Tete, west of Plaquemine, where there are several stores and a tavern; and at "St. Gabriel", on the left bank, 101 miles above New Orleans. At St. Gabriel there is a Catholic Church, and another one opposite, on the right bank, two miles above Bayou Goula. There, also, is a graveyard with handsome monuments—some of them very costly and elaborate. Above Bayou Plaquemine a marked change is noticeable in the character of the soil. From that point it is more sandy, lighter, and less like mud than lower down the river, but apparently not less fertile.

There are many heavy planters in the Parish, those whose names I give making from about two hundred to a thousands hhds. of sugar each, to say nothing of molasses, corn, etc.: Edward J. Gay, Dr. J. P. R. Stone, J. N. Brown, L. Desobry, Jr., Michael Schlatre, Jr., Mrs. Paulin Dupuy, Mrs. A. M. Dickinson, Michel Hebert, Gourier & Anger, Louis Marionneaux, John Randolph, Theo. Johnston, Gervais Schlatre & Co., F. M. Bissell, Mrs. E. Edwards, John Schlatre, Marionneaux & Bros., Dr. Clement, Jno. Andrews, John A. Dardenne, Edward Moore, Mrs. Vaughan, E. G. W. Butler, Col. P. O. Hebert, Zenon Labauve, Mrs. Woolfolk, S. Allen, Avery, Capt. Hart, Mrs. Lawes, Judge Cole, Wm. Walker, Mrs. Clark Adams, C. W. Keep.

THE CROPS, ETC.

The plant cane is looking finely, and the rattoon cane, in many instances, is coming up better than far down the river. Corn is flourishing greatly.

In my next letter I expect to do West Baton Rouge, which is the next Parish above this on the right bank.

Number VI.[11]

EAST AND WEST BATON ROUGE

Ye Anciente City of San Michel—Judge Hyams and the Sugar Planter—The Parish Generally—Its Morality, its Heavy Planters, etc.—The Crops—Brief Mention of East Baton Rouge and the Capital—"The Harney House"—Statistics, etc.

West Baton Rouge,
May 5, 1860.

Mr. Editor—I write from the site of the ancient city of San Michel, that formerly at this point queened it over the floods of the Mississippi which, in their turn, now roll triumphantly over the hearthstones of what was once, and not so many years ago either, an incorporated town, the vis-a-vis and rival of Baton Rouge, it being as large and populous as that place. But the voracious old "father of waters" took a liking to San Michel, and street by street he has eaten it up, and his appetite is still unappeased, though there is nary street left, and but half a dozen buildings, one of which is the printing office of our friend Judge Hyams, of the "Sugar Planter", and then the "Lager Beer Livery Stables" of Philip Bauer, which establishment had the honor of entertaining in horse style our gallant steed "Crescent". These and some five or six other buildings are all that is now left of San Michel, or West Baton Rouge, the last grab the river made at it being in 1858, when it nipped off a large slice of land, and among others ejected Judge Hyams from office and dwelling, and drove him into his present spacious and airy quarters in the old court-house. The new court-house, a handsome and well adapted building, is some quarter of a mile distant from the ferry. A good steam ferryboat plies across the river between Baton Rouge, the West Baton Rouge landing and the Grosse Tete Railroad depot, a few hundred yards above. Capt. Dick Markham, the most musical of steamboat com-

[11] *Ibid.*, May 14, 1860.

modores, commands the ferryboat, and makes time and connection with a certainty and infallibility which the commodore of the Cunard line, which does the ferriage business across the Atlantic, would do well to copy.

West Baton Rouge is a pleasant parish to travel in, and I expect it is equally so to live in permanently. It certainly must be if there are many more such genial and hospitable worthies resident therein as our brother of the quill, Judge Hyams, and he assures me there are many such, and, indeed, has shown me a few, Capt. H. W. Allen, of Allandale plantation, a beautiful estate about eight miles from West Baton Rouge Court-house, being one of them. The river made a desperate attack on this estate a year or two since, and took off a large slice of the front, making a new and very expensive levee necessary, and this has been the case in many parts of this parish, which contains some of the most extensive recent levee works which I have noticed. These heavy leveeing jobs have been necessary principally in the upper part of the parish.

The soil of this parish is very productive, and its yield is probably greater, in proportion to its size, than that of any other parish in the State, for it is one of the smallest. Its area comprises 59,900 acres of land, of which about 30,000 are uncultivated, some 18,000 in cane, 1700 in cotton and 10,000 in corn. Its total population is about seven thousand, of whom near two thousand are whites, and the balance, except a few free colored, slaves. The assessed value of property in the parish is, in round numbers, about $5,200,000, and its State tax amounts to about $10,000, of which the mill tax for public schools constitutes over $5000. The parish is divided into five districts, and there are five public schools, which are spoken of as being well managed and efficient, as is not, I am sorry to say, too generally the case throughout the interior parishes.

There is no post-office at the parish seat of West Baton Rouge, mail matter for the point being deliverable at Baton Rouge, across the river. There is a post-office at Bruslé Landing, six miles below Baton Rouge, and here is about the largest settlement in the parish. There are several stores there, and it is evidently an advantageous place for the purchase of goods, for each store has out a sign, "cheap store". There is another post-office at Lobdell's store, twelve miles above Baton Rouge. This Lobdell's store is a point whence considerable produce is shipped—sugar and molasses, and cotton from the back country. The cotton product of the parish does not amount to much—a thousand or twelve hundred bales

being raised, mostly by small farmers. All who can, cultivate cane. There is a post-office at Hermitage, at the lower mouth of False River, which is diked over and closed up, and here a large, well stocked and well appointed store is kept by Mr. Lemuel P. Day. Hermitage is about twenty-seven miles above Baton Rouge, and about one hundred and sixty from New Orleans. At Lobdell's store St. James Episcopal church is located, and at Bruslé Landing is the principal Catholic church in the parish, there being elsewhere one or more small chapels, where an occasional Mass is said, but no settled ministers. Judge Hyams boasts of the parish as a desperately moral section of the country, the most so of any part of the State, and sustains his vaunt by the stubborn fact that the parish has sent but one man to the Penitentiary since there was such an institution—and that the outraged respectability of the community so punished for beating his wife. The culprit is regarded as the most exquisite villain that has disgraced humanity since the days of Nero, and is held in lively and unremitting detestation by the virtuous society of West Baton Rouge.

As is apparent from the large proportion of population, who are slaves, there are many extensive estates in the parish, making from three hundred and fifty to a thousand or so hogsheads of sugar; and among the larger I may mention those owned by Messrs. Sosthene Allain, Dan Hickey, Capt. Trinidad, Capt. H. W. Allen, A. A. Williams, Dr. Patrick, J. A. Dougherty, Alex. Barrow, David Pipes, J. A. Bird, V. LeBlanc & Co., James L. Lobdell, estate of P. P. Babin, Judge W. B. Robertson & Co., B. R. Chinn, Andrew C. Woods, John Buhler, J. R. Devall, Dr. W. J. Lyle, J. L. Lobdell, Mrs. C. M. Hereford, Courtney & Woods, R. J. Barrow and W. D. Winter.

There is one newspaper in the Parish, and a very excellent and ably conducted interior sheet, the Sugar Planter, by Judge Hyams, who adds to that occupation the functions of Justice of the sixth ward of the parish. The District ought to send him to Congress, and it will, some of these days, if he don't mind; for every man who has sense enough to be a good editor has more than enough to be a good Congressman.

The present officers of the parish are J. C. Woods, President Police Jury; Wm. White, Sheriff; J. V. Duralde, Treasurer; O. Bernard, Jr., Recorder; W. B. Chamberlain, Clerk—has been Clerk since the Mexican War, and Gen. Jackson could not beat him for the office.

The Crops

The plant cane is very promising, and the rattoon cane somewhat better than lower down the river, but the stubble cane is bad, though the condition of that portion of the crop does not make a very great difference one way or the other. The drought is bad on cotton, but the season is yet too early for it to do as much damage as it might have later.

Parish of East Baton Rouge

So familiar are the readers of the Crescent with the capital of the State, that giving information on thereanent would be like "carrying coals to Newcastle"; and I shall, therefore, content myself with very brief mention of the general statistics of the parish, dismissing the pleasant city of Baton Rouge with a compliment to its picturesque beauty, as seen and admired by your correspondent when he had been mollified to a disposition to take a *couleur du rose* view of everything by the excellent fare and general comforts provided for his guests by Col. Rhodes, mine host of the "Harney House", the crack hotel of the city, and a very luxurious, commodious and pleasant house in every respect.

The parish of East Baton Rouge is more than three times the extent of West Baton Rouge, its area being 183,172 acres, of which 150,000 are uncultivated, about 6000 in cane, 11,000 in cotton and 16,000 in corn. The greater portion of this parish is higher land than any below, on the river, and the elevation tends back and up to the sandy and hilly lands of the Felicianas, East and West, and St. Helena. It is far from being a rich parish, its extent and its being the location of the capital city being considered. The total assessed value of property is near $9,000,000, and it pays a State tax of over $31,000, of which near $9000 is for the support of public schools. There are about fifteen or sixteen schools in the parish, and about 1400 educable children. The total population is about 15,000, nearly equally divided between whites and blacks. The post-offices of this parish are located at Baton Rouge; at Plain's store, fifteen miles above Baton Rouge and five miles back from the river; at Greenwell's store, eighteen miles from Baton Rouge, in the interior; and at Manchac, on the river, fifteen miles below the parish seat.

But I am making this letter too long, and will postpone some interesting matters in reference to the history of the parish to a future letter.

Number VII.[12]

PARISH OF WEST FELICIANA

St. Francisville and Bayou Sara—Business and Things Generally—A Notable Ferry—Post-Offices—Parish Statistics—Things Personal and General—The Crops, etc.

Bayou Sara,
St. Francisville, } May 9, 1860.

Ed. Crescent—I will commence this epistle, the seventh of the very entertaining and instructive series by your correspondent, with a few words of explanation of its date, which, as you perceive, is a little mixed, as are the two places, Bayou Sara and St. Francisville. They are one in many things and two in some things. Apparently they are as much the same place as "Natchez on the hill" and "Natchez under the hill" are, for Bayou Sara stands at the foot of the hill and St. Francisville on the top of the hill, and the two places run together and mingle on its declivity. They are one in having but one post-office, which is in Bayou Sara on the water side, and they are two in Bayou Sara being incorporated and St. Francisville not; and rather a keen operation of the St. Francisvillians is it, in keeping outside of the corporation, for being upon a lofty hill they have not the least use for the costly levees which are necessary to the existence of the settlement below the hill and which, therefore, they are not at all inclined to assist in paying for, as they would have to do, as well as be under other expenses, were they incorporated with it.

St. Francisville is the parish seat of West Feliciana, and has the fine court-house and many handsome residences to adorn it; and in the central plateau of its lofty location stands the splendid new church edifice, Grace Church, of the Protestant Episcopal congregation of the place, of which Rev. Daniel S. Lewis is rector. It occupies the site of the old church which it replaces, and will rank among the most tasteful and substantial church buildings in the country. It would be an edifice of note in any city of the South. In this parish the Protestant Episcopal seems to be the prevailing denomination, though there are a number of churches of other sects scattered through the country.

If St. Francisville is stronger on the ornamental, Bayou Sara is out of sight ahead of her on the practical, for she does all the

[12] *Ibid.*, May 21, 1860.

business, and a great deal of business is done, too. It is a thriving and bustling place, and contains some of the most extensive and heavily stocked stores in Louisiana, outside of New Orleans, and there are few in New Orleans even which can surpass in value of stock the concern of Meyer, Hoffman & Co., dry goods dealers and direct importers. The principal merchants of the place are Whiteman Bros., F. V. Leake & Co., Hatch & Irvine, and Parr & Winter, receiving and forwarding and general commission merchants, and dealers in groceries and western produce. Meyer, Hoffman & Co., C. E. Tooraen and A. Levy & Co., dry goods and general merchandise; R. Barton, book, stationery and periodical depot. There are, also, a variety of smaller but apparently prosperous establishments, which we have not space to enumerate; restaurants, bar-rooms, etc., and all the aspects of a small city. A prominent object in the town, occupying a very handsome building, is Robinson Mumford's Bank of Exchange and Deposit, W. T. Mumford, teller. China Grove Hotel is the principal house of entertainment, there being, beside smaller establishments, a very large and comfortably arranged wharfboat, which, however, is not doing a very prosperous business, the majority of citizens being opposed to its location there. There is a Methodist Church in Bayou Sara, Rev. Thomas Donner, pastor.

Among the other prominent business interests of Bayou Sara is horse dealing, it being the great horse market for the surrounding country. Large droves of horses are brought here for sale from Kentucky and elsewhere. Messrs. Henshaw & Haile have very extensive stables and do a great deal in horse flesh. Bayou Sara is the river terminus of the West Feliciana Railroad. The depot stands upon the levee in the lower part of the town, having been moved from the upper part, above Bayou Sara, a troublesome and unnavigable estuary which could not be permanently bridged, save at great cost. This railroad runs to Woodville, Mississippi, a distance of twenty-eight miles. A good steam ferryboat plies across the river to Pointe Coupée, and ought to be a paying institution, for passengers are charged fifty cents each for the luxury of riding over on it, and two dollars if they have a horse and buggy. The Bayou Sarans ought to amend this matter, for the heavy ferriage prevents much custom from reaching their market. The boat has been run a number of years and is the property of one person. The merchants ought to form a company, buy the boat and run it at the lowest rates that will pay expenses. They might

even afford to lose a little; but it would pay better at half the present rates than now.

Bayou Sara is about one hundred and sixty miles from New Orleans, and the other post-office settlements of the parish are at Tunica, on the river, twenty miles above, a place where considerable cotton is shipped, and there is a store or two, also an Episcopal church, Rev. Mr. Dow, rector; Laurel Hill, a station on the railroad, twelve miles in the interior. Here, also, there are one or two stores. There is one paper published in the parish, the Bayou Sara Ledger, an able and well-known journal, edited and conducted by Jas. R. Marks, who is Mayor of the town of Bayou Sara. The officers of the parish at this time are John W. Spear, President Police Jury; Robinson Mumford, Treasurer; Charles B. Collins, Clerk of Court; William Hearsey, Sheriff; Wm. L. Bell, Assessor; Robert Hale, Recorder.

West Feliciana is one of the wealthiest parishes of the State, being high among the second rates in wealth and population. The total assessed value of property is about $8,200,000, on which it pays a State tax of over $26,000, over $8000 of which goes to the public school fund. There are thirteen public school districts in the parish and about five hundred educable children. The total population of the parish is 12,000, in round numbers, of which about 2000 are whites and about 10,000 slaves, the free negroes being few. A comparatively small portion of the land of this parish, the upper border of which is the State line between Mississippi and Louisiana, is adapted to the growing of cane. Cotton is the principal product. Of the 227,367 acres forming its entire area, about 35,000 are in cotton, 5000 in cane and 19,000 in corn, leaving some 165,000 or 170,000 uncultivated. There is much barren and sterile land in the parish, but enough that is very prolific to yield a large crop as its aggregate product. Many of the planters grow both cotton and cane, but they are generally engaged exclusively in raising either one or the other rather than both. Some of the planters of this parish rank among the largest in the State, and among the extra heavy men may be mentioned Messrs. Joseph A. S. Acklen, David Barrow, Wm. Ruffin Barrow, Sr., Wm. J. Fort, John Scott Smith, Wm. H. Stirling, Daniel Turnbull, etc.

The Crops

Have a generally promising aspect, rather than otherwise. Of course it is yet too early in the season to base any ideas for the

future on present appearances of cotton. Rain is wanted very much. Cane looks generally well enough.

In my next I propose to operate on the great parish of Pointe Coupée, which is the vis-a-vis of West Feliciana across the river.

Number VIII.[13]

PARISH OF POINTE COUPÉE

The False River country—Its peculiarities and people—The Parish Seat—The Pointe Coupée Democrat and its publisher—Waterloo—Hermitage—Pointe Coupée—The Pointe Coupée Echo—Poydras College—Livonia—Grand Levee and Raccourci Levee, etc.,—The Lafayette Grant—Red River Landing, etc.—Heavy Planters—Statistics—Crops, etc.

False River,
Parish Pte Coupée, } May 14, 1860.

Ed. Crescent—In point of wealth, population and value of productions, Pointe Coupée has a prominent place among the first class parishes of the State, there being but few which excel it in either respect, while it excels the great body of parishes in each. It is fortunate in having two river borders and a lengthy extent of territory on each. It is long and narrow, and is bounded on one side by the Mississippi and on the other by the Atchafalaya, and all its coast land is laid out in thoroughly cultivated estates, the rich soil of the Atchafalaya lands vieing with that of the Mississippi banks in yielding large returns to the planter. Pointe Coupée is fortunate, also, in having within its borders the famous False river country, and from this, one of the most ancient of the old Acadian settlements, I now write.

False river is one of the most interesting natural aspects of Louisiana. It is now a beautiful but still and currentless body of water—a lake and not a river—lying in a huge coil thirty-five miles long in its circuit, but with the termini less than three miles apart, and each of these ends approaching within a few yards of the Mississippi, communication with which was cut off some thirty years ago by the building of dykes. The Mississippi rolled the massive volume of its tide, 160 years ago, through the now quiet channel of False river, and the Indians were content to paddle their canoes round the long circuit of thirty-five miles to accomplish a direct progression of less than three miles; but when the

[13] *Ibid.*, May 25, 1860.

white man, with his better notions of the value of time and labor came, he could not see the beauty of doing so much to accomplish so little, and the early hunters very soon cut a ditch across the narrow neck of land through which they could drag their canoes and batteaux. The waters of the river found the ditch a shorter cut in their journey southward to the Gulf, and began to use it, and soon concentrated all their force, and tore out a channel, which left the old circumbendibus, with its occupation, gone forever.

The waters of False river are always below the level of the Mississippi, are affected only by rains, and never vary in level more than three or four feet. The banks are high and unleveed. The waters of the river or lake are filled with fine fish, which are caught in abundance, and on its fertile borders, on either side, are thickly clustered the fine residences of large planters or the picturesque cottages of the Acadians, who live and die in somnolent ease and simplicity on the same ground where their ancestors for many generations lived and died before them. The poorer class of habitants form the great bulk of the population of "The Island", as the territory enclosed by the curve of the river is termed. They have chickens, pigs, cows and ponies in abundance, and generally a few negroes; their gardens yield them vegetables, the woods game and the river fish, and the small crops they raise furnish the little money they require; and so they live on comfortably and sleepily, undisturbed by ambitious dreams of wealth or the desire to mingle in the excitements of the great outside world. They are now very much what they were a century ago, for in this section was located one of the earliest colonial settlements of the Louisianas.

"New Road" or "False River" post-office, whence I write, is the Parish Seat, and has been so for about fifteen years. It is on the banks of Fausse Riviere, four or five miles from the Mississippi, and is a quiet and pleasant place, loosely scattered along the water's edge; and, indeed, it is hard to tell where settlement ends and the country proper begins, so thickly settled is the coast all round its circuit. The court-house is a well-adapted, commodious and rather handsome building. There is a Catholic Church here, to which on Sundays the surrounding population flock in carriages, on horseback and in rowboats and sailboats via the "river". There is one large and heavily-stocked store, kept by A. Gragnard, and several minor establishments. "The New Road Hotel", by M'me Boudreau, is a well-managed and comfortable house of entertainment—unusually so, as I am enabled to decide from my experience

among the caravanseries of Louisiana. Here is the publication office of "The Pointe Coupée Democrat", very ably, acceptably and successfully conducted by my good friend P. A. Roy, Esq., editor, publisher, attorney, notary, postmaster, planter, brickmaker, etc., being another man of the same stripe as friend Jenkins, Mayor of Plaquemine, whom I celebrated in a previous letter, and I have no doubt that if this place were incorporated 'Squire Roy would be Mayor also.

Waterloo is the landing and shipping place of the False river country and is five miles from the Parish seat. It stands where the upper mouth of False river was before it was closed, and is all sorts of a place, straggling along the banks of the Mississippi behind a low and irregular levee. Waterloo is a little more than 150 miles from New Orleans and there is much business done there, though it has not the appearance of a busy place. The principal stores are kept by Zenon Demourelle, Ad. Vermeiul, H. René, Jules St. Germain and Chas. Echelard. The place is ill built and not pleasant, and the dog population is immense. There are a number of nice places in the neighborhood, however. Something less than three miles below Waterloo, where the lower mouth of False river used to be, and almost on the border of West Baton Rouge parish is Hermitage, a post-office station, where there are a few houses and a well-stocked and flourishing store kept by Mr. L. P. Day. Six or seven miles above Waterloo is Pointe Coupée post-office, and at this point, or rather scattered along the river in the neighborhood, are many houses and several small stores. It is a pleasant place, nearly opposite Bayou Sara. Here is the office of the Pointe Coupée Echo, published by Jewell & Brothers, and edited with spirit and ability by Edwin L. Jewell, Esq. At this place, which was formerly the parish seat, the new road leaves the river and runs back to the present parish seat, three or four miles from which, and nine miles from Waterloo, as I should have mentioned above, is situated Poydras College, looking out on the waters of False river. This institution was established by bequest of old Julien Poydras and is liberally endowed. It is conducted under the supervision of the police jury of this parish, and its President at this time is Prof. V. Basil. The building is handsome and commodious, and its classes now number upwards of fifty pupils. It was established in 1838.

Twenty-five miles back from the river, and near the dividing line between this and Iberville parish, is Livonia post-office, des-

tined to be a station on the Grosse Tete Railroad, which now runs back from its terminus of the road to Bayou Grosse Tete, sixteen miles, and is graded seven miles further. Cypress Point post-office is on the Atchafalaya in the western border of the parish, and above the Pointe Coupée office; on the Mississippi river side, are Morganza, Village, Williamsport, Simmesport, and Red River Landing post-offices. Morganza is 172 miles above New Orleans, and three miles below it is the famous "Grand Levee", which resists the full sweep of the current in a great bend of the river, and protects the whole Attakapas region into which the waters would sweep should they at once break into the country. This piece of levee is a great work in its way—a huge fortification built up against the watery enemy. From Morganza landing a road runs across the parish by way of Bayou Fordoche, crossing the Atchafalaya and into the parish of St. Landry to Opelousas, a distance of some thirty miles. From Morganza to Williamsport, nine miles distant, the river road runs along the great Raccourci (cut-off) levee, a work rendered necessary in consequence of the river having been turned out of its natural bed, as it was in the case of False river. The bend which it once occupied above the Raccourci levee, as it did False river, is twenty miles long, and is now called Old river, or "Lake Lafayette", for the reason that on its borders were located extensive and valuable tracts of land which were donated by Congress to Marquis Lafayette for his revolutionary services; which lands were sold by him or his heirs and are now occupied as sugar plantations, being held by "Lafayette Grant" titles. On Lake Lafayette lie the large sugar estates owned by Ar. Miltenberger & Co., (who lately sold, I believe) J. J. Pringle, the succession of Judge Black, Chas. D. Stewart, and Hopkins & Bro.

The post-office known as Williamsport is located on Lake Lafayette, over the shallows, at one entrance of which steamers enter when the river is high. Here there is a store or so and an Episcopal church. From Williamsport to Red River Landing, the upper post-office of the parish, the distance is six or seven miles, and there are two roads by which it may be traversed, one by the river levee and the other by way of Bayou Lettsworth, on which watercourse lies the large cotton estate of the late T. G. McIntyre. Red river landing is a place of much note, as being a crossing point much frequented by emigrants to Texas, who come from Mississippi and Alabama. The business done there is considerable, though there is but one mercantile establishment of heavy calibre.

The agriculture of Pointe Coupée is about equally divided between cane and cotton, though of late years the tendency is to withdraw land from the culture of cotton and put it into cane. The assessed value of property is $11,000,000 in round numbers, and it pays a tax of about $33,000, some $11,000 of which goes to the School Fund. There are fourteen school districts, and the number of educable children is about 800. The area of the parish comprises some 311,000 acres, about 28,000 of which are in cotton, 17,000 in cane and 18,000 in corn—the value of the cane considerably exceeding that of the cotton. The proportion of slaves in the parish is very large, as they number over 11,000 in a total population of about 15,500, the whites being about 3650 in number and the free colored about 750. The proportionate number of slaves is at once indicative of the wealth of the planters and of the productive capacity of the parish. In addition to the names given above the following may be mentioned as the larger planters of the parish.

On False River, David Barrow, A. Denis, Col. M. Courtney, McNeely & Son, M'me Parlange and Mrs. M. C. Stirling. Between Pointe Coupée post-office and the Grand Levee, the oldest settled portion of the parish, are the largest and best sugar estates, among them those of Col. F. L. Claiborne, Zenon Porche, Dr. A. Ferrier, E. Cooley, Capt. Morrison, McCallum and others.

The officers of Pointe Coupée at this time are John Moebius, President Police Jury and Recorder; S. Porche, Sheriff; A. Boudy, Clerk of Court; H. Patin, Jr., Treasurer; J. B. St. Cyr, Assessor; John Yoist, Esq., District Attorney and Parish Auditor.

The Crops

The drought is much complained of, but the crops generally are looking tolerably well, nevertheless. The prophets are predicting about an average yield from cotton and cane this season, but of course it is impossible to tell much about it with any certainty at this early date.

I have now before me precocious phenomena in the shape of a cotton form and a corn tassel plucked on the Atchafalaya border of the parish, on the 26th of April. They might have grown in an open field, and they might have been raised in a hot house in company with a stove. *Quien sabe?*

Number IX.[14]

THE UPPER PORTION OF THE PARISH OF POINTE COUPÉE

The Route I traveled—Morganza—The Village—Williamsport—Old River—Great Levee Works—Red River Landing—Simmesport, etc.

Red River Landing,
Parish Pointe Coupée, } May 17, 1860.

Ed. Crescent—I date from one of the most interesting localities in the State—the point where the great Red river adds its reddish hue floods to the tide of the Mississippi, without apparently adding a pint to the volume of the latter below the point of junction, however. The Father of Waters seems in no respect enlarged by the contribution which one of its largest children pours into it. Leaving Pointe Coupée post-office, your worthy correspondent had about thirty-five miles to buggy along the levee to reach Red River Landing, and the reader must go with me the way I went before he sees it with the eyes I saw it through the medium of the pen.

Eleven or twelve miles from Pointe Coupée office the Morganza settlement is reached, the road being very pleasant and interesting, and through the most anciently settled portion of the parish. Morganza is a delightfully located but very small place, boasting, however, a very nice hotel, one large store kept by Mr. Freeman, and a well-arranged post-office. These constitute, indeed, the majority of its "improvements". The Mississippi is gnawing away at its levee border most hungrily, its omnivorous appetite sticking at nothing; for, the last bite it made, in a slide which took away about an acre of bank, a grave-yard, dead men, coffins and all, slipped away into its watery maw. It was a plantation grave-yard, and of no great extent or population. It was far enough from the water when first located, but this river defies all human calculation.

A few miles above Morganza is Village Post-Office, a small and not an interesting place; and the next settlement which has a name is the pleasant village of Williamsport, on Old river, or Lake Lafayette. Old river was formerly the channel of a considerable portion of the waters of the Mississippi, which wound around a circuit of twenty miles. But an act of Legislature closed its upper mouth about fifteen years ago, I believe, and a heavy growth of

[14] *Ibid.*, May 26, 1860.

willow and cottonwood is now encroaching on its useless bed above Williamsport, to which point steamers navigate during high water, entering at the lower mouth. It is another False river country, on a very much reduced scale. Williamsport is a very pleasant place, with a flourishing store or two, a good hotel, and two churches—one of which, the Protestant Episcopal, is of brick, with stained glass windows, of good architecture, and a regular little gem of a country church. The village consists of about a score of buildings, and is a delightfully rural little place.

Some eight or ten miles from Williamsport is the mouth of Red River and Red River Landing, and here are some of the greatest levee works in the State, and, in fact, the whole of the upper part of Pointe Coupée, from the neighborhood of Morganza to the Concordia line, (Red River separating the parishes) presents a constant succession of huge fortifications erected to resist the onslaughts of the watery enemy, which directs its force almost exclusively against the western bank. In this section are "Grand Levee" and "Raccourci Levee", great works both, but it is within a space of three miles below the mouth of Red river that the current exerts its most disastrous violence, and the most extraordinary exertions are necessary to successfully combat it. Within a short time, mostly in 1858, I believe, large bodies of land have been swept away, and weary for continually building for the river to destroy, the last new levee was thrown up far back in the woods, a mile or so from the water, I judge, in places, and the outside land left to run its risk. The portion of this levee which the parish paid for cost it, I am told, some $18,000. At and adjacent to Red River Landing the levee works exceed anything I have seen, and a force of Irish laborers is now busy in completing them. They cross and interlace each other like the field-works of the allies before Sebastopol—I suppose, for I never was there. And they are highly essential, for below the batture at the mouth of Red river, the Mississippi sweeps into a deep curve and winds through with a tremendous current, which is constantly eating into the coast. Here, in 1858, a lot of Irish laborers came near being victims. They were busy in levee-building and had erected their camps at the apparently safe distance of about two hundred yards from the water's edge, amid a grove of lofty trees. One night, however, they were aroused by a great and unusual sound, and rushed from their camps to find the swamp slipping away into the river in huge avalanches, carrying with it centenarian trees, camps

and elaborate levee works, all to be engulfed by the remorseless waters. It is related that a mule was fast haltered to a giant tree which had totally disappeared when the camp was first alarmed. It was supposed that it had definitely closed its mule's career to be food for the fishes; but with the characteristic obstinacy of that "animule" it refused to die so, and was discovered the next morning quietly grazing at some distance from the scene of disaster. Of course the creature was a mule no longer, but at once became a "lion"—unlike the ass in the fable which tried, and failed, to effect a similar metamorphosis by donning the magnificent peltry of the king of beasts.

Here, at the mouth of Red river, is the site of a future city of some importance. It is the lowest conveniently accessible crossing place of travelers by land into the lower interior of Louisiana, and through to Texas. It is a great place of transhipment of goods, which are landed here by steamers coming down and going up the Mississippi, to be taken off by the Atchafalaya and Red river boats. Vast quantities of freight are thus deposited here, and the wharf-boat (the hull of the Laurel Hill steamer) is one of the largest and most admirably conducted on the river. It is a fine hotel and a spacious warehouse, and does an immense business. Messrs. L. G. Picou & Co. are it proprietors. There are two stores, but only one is of any considerable caliber as a mercantile establishment. Mr. Joseph Torras is the proprietor, and is the owner of all the land thereabouts. There are but about half a dozen other buildings in the place. At this store the post-office is located. It is a distributing office, and makes up the mails which go through from this point far into the interior by a tri-weekly stage line, which is well spoken of for the efficiency of its management.

Six miles from the landing, the famous bayou Atchafalaya makes out of Red river, and winds its way to the gulf at Atchafalaya, or Berwick's Bay, through the fertile Attakapas country, its banks thickly settled with richly productive estates. It forms the entire western boundary line, some sixty miles or more in length, of Pointe Coupée parish. It is eleven miles from here to Simmesport, a flourishing young, but still small settlement on the Atchafalaya, where is the ferry on the road to Marksville, the parish seat of Avoyelles and Alexandria—the latter place being eighty miles from the landing by the stage route, and Marksville forty-five. This road your correspondent takes, and the next letter will be from the "Prairie of Avoyelles".

Number X.[15]

THE PARISH OF AVOYELLES

A Little Pertinent Poetry—A Pleasant Drive along the Atchafalaya—Bayou de Glaize—Lake Pearl and its Pearls—Moreauville The "Prairie of Avoyelles"—Mansura—Marksville—Holmesville Big Cane—Big Bend—Evergreen—Personal—Educational—Ecclesiastical—"The Central Organ" and James A. Warner—Crops, etc., etc.

Marksville, Parish of Avoyelles,
May 22, 1860.

Ed. Crescent—The conclusion of my last left me wayfaring along the tree-embowered banks of the Atchafalaya—classicised by Longfellow in the poetic feet which trace the dreamy wanderings of the true-hearted and brave-hearted "Evangeline"—though, I believe, the poet got that fair and faithful heroine to the waters of the Atchafalaya by the way of Bayou Plaquemine, for the Acadian exiles

> "Swerved from their course; and, entering the Bayou of Plaquemine,
> Soon were lost in a maze of sluggish and devious waters."

They did not travel the upper Atchafalaya, for

> "Thus, ere another noon, they emerged from those shades; and before them
> Lay, in the golden sun, the Lake of the Atchafalaya.
> Water lilies in myriads rocked on the slight undulations
> Made by the passing oars, and, resplendant in beauty, the lotus
> Lifted her golden crown above the heads of the boatmen.
> Faint was the air with the odorous breath of magnolia blossoms
> And with the heat of noon; and the numberless sylvan islands,
> Fragrant and thickly embowered with blossoming hedges of roses,
> Near to whose shores they glided along, invited slumber."

The Upper Atchafalaya is nothing like such a paradise as the poet makes the lower portion of that fine stream, where it broadens into a lake. Its banks are high, now that the waters are low, and are mere mud-piles; but back from the levee'd border all the charms of the affluent vegetation, peculiar to the bottom lands of Louisiana, beautify the scenery. Lofty and moss-

[15] *Ibid.*, June 4, 1860.

hung and vine-canopied trees and flowering shrubs fringe the broad fields which stretch far away, lakes of verdure, green as the sea, to their distant forest-skirted borders; and the residences of planters are sylvan villas embowered in elysian groves.

The road from the Red River Landing to the mouth of the Atchafalaya is a beautiful drive of six or seven miles. It winds through the forest nearly the whole distance;

> "And overhead the towering and tenebrous boughs of hoar old trees,
> Meet in a dusky arch, and trailing mosses in mid-air
> Wave like banners that hang on the walls of ancient cathedrals."

And now I have done with the poetic, which has thus obtruded upon and depreciated the strictly and prosily practical character which is intended to pertain to these letters. I leave the Atchafalaya and Pointe Coupée, by crossing it at the Simmesport Ferry into the parish of Avoyelles, eleven miles from the point of confluence of the Mississippi and Red Rivers. Leaving that pleasant young place, with its new houses and one store of all wares, the road to Marksville, the parish seat, twenty-four miles distant, and thirty-five from Red River Landing, winds along the banks of Bayou de Glaize, which branches off from the Atchafalaya at Simmesport, and twists round through nearly the whole breadth of the parish till it reaches Lake Pearl, a beautiful sheet of water three or four miles long, about nine miles southwest of Marksville. Lake Pearl, let me mention, is so named because some body or bodies, at some time or times, found certain pearls—slightly inferior in size and value to that which Cleopatra made a "mixed drink" of—in mussels taken therefrom. The banks of the lake run into high bluffs in some places, fine estates border on it, and the whole locality is very picturesque.

Twelve miles from Simmesport is Moreauville, which stands nearly in the exact center of the parish, and on the banks of Bayou de Glaize. It is a dusty and hog-afflicted little place, without a hotel, and with but few or no Anglo-American residents, and one or two small stores. Here the road to Marksville, which is also the road to Alexandria, crosses the bayou, which is nearly dry at this season, but a small thread of water creeping along its deep channel, spanned by a little "puncheon bridge." When the water is up the crossing is made by ferriage, but the ferry flat

now lies stranded in mid-channel, its occupation gone. The population hereabouts is almost exclusively "Acadians", of the poorer sort. From Moreauville the road traverses a somewhat dismal swamp forest for nearly four miles, which it leaves by a rather abrupt ascent to attain the elevated table land of the "Prairie of Avoyelles"—a really beautiful expanse of high land, with a level sixty-five feet above the average water surface of Red river, grass-grown and dotted here and there with trees and groves, and the small enclosures of Acadian homesteads. The prairie is ten to twelve miles long by five to seven wide, and on it stand the towns of Mansura and Marksville, the former five miles from Moreauville, and the latter twelve from that place, and thirty-five from Alexandria.

Mansura is a pleasant place, and though so near to Marksville, and so far from any navigable stream, considerable business is done there in a retail way by the following dealers: J. O. Prostdam, Louis Roule, Pierre Lemoine, Francois Borde, L. F. Roy, J. C. Joffrion, A. F. Saucier, Seiss & Brother, and Dr. T. Defossé, drug and variety store. A newspaper is about to be established here, I understand, and it is rumored that it is to rival "The Pelican", the Democrat organ at Marksville, in the affections of the children of the straight-out Democratic faith. The population of Mansura, may be said to be exclusively Creole. I would here call attention to the fact that Colton's and other maps for school and general use are very poor guides to accurate knowledge of the locality of places in Louisiana, at least. Colton's pocket map and atlas place Mansura on Red river, whereas it is in the center of the parish, and not within less than ten miles or so of any point on the river.

From Mansura, the road traverses the prairie level to Marksville, seven miles. It is a thriving and busy place, and its site occupies the highest land on the prairie of Avoyelles, and its communication with the outside world in the freight and passenger way is via Red river—there being two landings on that stream, from which roads come to the town, four and a half miles distant from Edwards & Sloat's Landing, and three and a half miles from Barbin's Landing. These landings are eight or nine miles apart from each other by the way of the river. The Court-house at Marksville is a properly adapted brick edifice, and the parish is now busy rebuilding the brick jail, which, through the "eccentricity" of a runaway negro therein confined,

was recently destroyed by fire, the incendiary with it. The shrieks of the self-immolated victim were dreadful to hear, but he could not be released, as the iron door against which he had built the fire had expanded so much with the heat as to be immovable in its frame.

The other post-offices in Avoyelles are at Holmesville, in the southwest portion of the parish, forty-five miles from Red River Landing, where G. H. Basset keeps a large store; at Big Cane, in the southern part of the parish, near the St. Landry line, where Jos. Cappell operates in merchandise on a scale of considerable magnitude; at Big Bend, on Bayou de Glaize, where Gerard Saucier has a store, and at Evergreen, in the southwestern part of the parish, where there is one store, and the "Evergreen Home Institute", a flourishing educational institution for male and female pupils. There are Baptist and Methodist churches at Evergreen, and churches of the same societies at different points on Bayou de Glaize; Catholic churches at Moreauville and Bayou Rouge Prairie—a comparatively small, but very pleasant and fertile plateau in the southern part of the parish, near which is located the magnificent cotton estate of that constant reader of the Crescent and gallant and chivalrous gentleman, Fenelon Cannon, Esq., of the firm of Cannon & Irion, the leading lawyers of the parish, whose office is at Marksville. And let your correspondent, before going further, tender both these gentlemen his acknowledgments for much kindness and courtesy received in his pursuit of information and congenial association —his sole recommendation being his connection with the great metropolitan journal, the principles of which they sympathize with and advocate. But to return to my educational and ecclesiastical statistics. There is a Catholic church on the Prairie about a mile from Mansura, on the road to Marksville, and a Convent at the little settlement of Hydropolis, or "Cocoville-town", about three miles from Marksville, where some seventy pupils, young ladies of the parish, are now in attendance; and this institution will be removed to Marksville when a new and costly Catholic church, which is now in contemplation, shall be erected. It will be a very fine building. There is a small Methodist church in Marksville, but no regular services are held.

The principal mercantile business at Marksville is done by Messrs. Jules Dalsuet, B. P. Delavallade, O. Voinché and Eugene

Renaud. Messrs. Cannon & Irion, Henderson & Taylor, all noted members of the Louisiana bar, and other lawyers, are located here. Doctors don't have much to do in Marksville, as the elevated "Prairie of Avoyelles", with its dry and pure air, is noted for healthfulness. There are three hotels, and of one of them, "Frank's House", I can speak knowingly as being an admirable institution. The landlord combines the functions of butcher with those of Boniface, and, of course, his table gets the finest joints and the nicest steaks. Mr. E. Chaze, is postmaster at Marksville.

Here is located the office of "The Central Organ", anti-long-tail, edited and published by James A. Warner, Esq., whose facile and graceful pen has given him a high and deserved place in the ranks of Louisiana journalists. "The Pelican", a French and English paper, and straight-out Democratic, is published here by Mr. Prudent d'Arlys.

But my letter is growing to an unconscionable length, and I must postpone general statistics of the parish, something about its lands and other matters, to another installment.

There is great complaint of drought, and the crops are suffering all through the Red river country. On the Atchafalaya crops are flourishing fairly, and the other day I saw six-foot corn, with long silk flowing "down from the *ears*" like the beards of patriarchs.

Number XI.[16]

MORE ABOUT AVOYELLES PARISH

The Lands, Water Courses, Agriculture and People of Avoyelles —General Statistics—From Marksville to Alexandria—The Sort of Road it is—Raillery—Force of Habit—Amazonian Equestrianism—The Drought—The Crops—Corn—Cotton Blooms—The River.

Alexandria, Parish of Rapides,
May 27, 1860.

Ed. Crescent—Your readers will remember that my last letter left them in the middle of the parish of Avoyelles. That parish was so fruitful of items of fact and fancy that I was unable to do it justice in the brief space of one letter, albeit its brevity

[16] *Ibid.*, June 5, 1860.

was considerably elongated. I had no room for statistics nor other material facts of interest, and these I propose now to give, and then to take your readers across Red river and out of the parish by the road I traveled to gain my present temporary location, in the capital of the Red river valley generally, and of the great parish of Rapides particularly, of which anon.

Avoyelles is eminently entitled to a position among the growing parishes—growing in wealth and population. The appreciation of the value of lands has been large and rapid, especially in the Red river bottom, where tracts from which a tree has never been cut are held at prices which seem enormous—as high as fifty dollars an acre being asked for eligibly located tracts. Prices have been greatly enhanced by the improvements and extensions of levee works that are going on, which have reclaimed and brought into market large bodies of fertile land. The owners know what it is worth, and hold it at prices which they will eventually realize, but which do not favor the rapid development of the productive resources of the section. As I hinted in my last, Avoyelles can boast highlands as well as lowlands, hills and valleys, and these agreeable alternations give variety to its natural scenery, and combine with what man has done to render the country picturesque and very pleasant to the eye of the traveler. As an agricultural region, it is peculiarly favored with water courses, which at once facilitate communication with market, and serve to drain the lands. Besides Red river and the Atchafalaya, it is traversed in different portions by bayous de Glaize, Rouge, Boeuf and Huffpower, all of which are navigable in winter. Along the borders of these drains the land is cultivated, and large numbers of fine plantations border on them. Through the parish run the first stage routes above New Orleans, by which mails and passengers leave the river and reach Texas and the interior of this State.

The Creole element of population vastly preponderates in number, but the heavy planting interest is mostly in the hands of Anglo-Americans. "Big Injuns" on little ponies are no uncommon sight in the parish. They belong to the Biloxi tribe, and have a small village not far from Marksville. They are rather superior-looking Indians, but the complexions of those I saw seemed rather too light to properly belong to a pure blooded article of aborigine. They go forth once a year, with others of

their tribe from adjoining parishes, to join in a great ball play with the Choctaws from Rapides and elsewhere, the place of meeting being generally down in St. Landry.

The agriculture of the parish is principally devoted to cotton-raising, about twenty thousand acres being cultivated in the staple, about six thousand in cane and eighteen thousand in corn. There are over a hundred and eighty thousand acres of land in the parish still uncultivated. The principal cotton estates are those of Fenelon Cannon, Esq., T. D. Marshall, Samuel Smith, John Rogers, Mrs. Jno. A. Glaize, Dr. L. K. Branch and A. G. Pierce. The principal sugar estates are those of R. R. Irion, Keary Brothers, Dominique Coco, Col. I. T. Norwood, T. P. Frith, Col. Wilson, Jas. Keller, Mrs. Murdock and Wm. Lambeth's estate. There are but few small sugar-planters, but many who make cotton on a small scale. The assessed value of property in the parish is about $5,200,000, the State tax is about $17,000, of which some $5,200 is for the support of free public schools. There are about thirteen hundred educable children in the parish, and several schools. The total population is upwards of 12,000, of which free whites constitute something less than one-half. The free colored number about a hundred and thirty. The slaves are about six thousand five hundred in number. The present officers of the parish are L. V. Gremillion, Recorder; J. L. Generes, Treasurer; P. P. Normand, Sheriff; A. Lacour, Assessor; L. Couvillion, Clerk; Julian Deshautel, President Police Jury. Hon. E. North Cullom, the well-known jurist, is Judge of the Judicial District in which Avoyelles is included.

THE ROAD TO ALEXANDRIA

By the road, which a horseback mail traverses three times a week, the distance from Marksville to Alexandria is thirty-five miles—Marksville being midway, on the seventy-mile route from Red River Landing, where the New Orleans mails for Alexandria and other points in the interior are put ashore. Seven miles from Marksville I found a ferry crossing Red river, which is here about a hundred yards across, with high and much gullied banks of clay and stiff, reddish-hued soil, the washings of which so tinge the waters of the river that from their color it gained its name—a good name as any and easier of mention than those which stretch out with polysyllabic redundancy, as Mississippi,

Atchafalaya, etc.—not that such aboriginal titles should be objected to, but, on the contrary, cherished and preserved as the relics of an ancient and nearly extinct people.

From the ferry, "Voorhies' Ferry", to Alexandria, twenty-eight miles distant, the road winds through a wilderness, most of the way through the pine woods, up and down short hills, sandy, rutty, rooty, stumpy, gullied—in short combining all the conditions of meanness which could possibly pertain to a road. The first few miles after leaving the ferry are through the sandy river bottom, thickly grown with cotton-wood, willow and gum. The willow is a wonderful tree, possessing an astonishingly vigorous principle of vegetable vitality. Almost the only way to kill it is by burning it. Cut off a piece of willow wood, split it and leave it on the ground and it will throw out roots below and sprouts above and flourish, as almost anyone knows. But I believe that few know and many will find it hard to believe that a stick of willow suspended in mid-air will grow—that it is a veritable "air plant". A portion of Col. Voorhies' plantation near the ferry is surrounded with a worm fence "laid up" some six months since of rails split from large logs of willow, each rail having but a narrow strip of bark. The rails were split last summer or fall, and the wood is brown and apparently dry, with exposure to the weather, and yet I noticed large numbers of them in the upper tiers of the fence, three or four feet from the ground, which had put out vigorous shoots several feet long, green and flourishing, and supporting a heavy crop of thrifty leaves. I suppose the force of habit was so strong, that when spring time came the rails couldn't help growing as they had been accustomed to when forming parts of trees which had one end in the ground.

There are but four or five houses along this whole stretch of road, which traverses a corner of Avoyelles for a few miles and then enters Rapides. These houses are very indifferent affairs. One of them is a log or puncheon school-house, and several of the pupils appertaining thereunto I saw. They were approaching a temple of erudition by a cow path which wound through the forest. They were all of the gentler sex. They were all barefooted. One was nearly six feet tall. They rode saddle-less, rough-coated, mane-tangled and burr-tailed ponies—after the fashion of which the lords of creation presume to claim the monopoly. Whence they came I don't know—how they came I

do, and they did it very well, if not gracefully. The last few miles of the road near Alexandria, where it enters the river bottom, are an improvement on the balance and bring the traveler agreeably to the conclusion of his journey at the landing of the steam ferry by which he again crosses the river—from the settlement of Pineville to Alexandria opposite, whence I write now, and of which I will write in my next.

CROPS, WEATHER, ETC.

An extraordinary drought has been prevailing in Alexandria and the immediate vicinity since the middle of February. Corn has been planted three times in many fields, and that crop will be almost an entire failure in this neighborhood unless there is a speedy change of weather, and it continues thereafter of the most favorable character. Cotton is doing tolerably well, though many planters have failed to get good stands in stiff lands. Cotton blooms begin to be no great rarity. Some were exhibited in town yesterday.

Nearly all the cisterns in town are exhausted. Dust and heat, with strong, dry winds, prevail. The red, clayey soil is baked hard and cracked with heat and drought, and wheels and horses' hoofs rattle over it as if it were frozen ground. The universal aspiration is for rain, and yesterday it fell heavily within from ten to twenty miles of here, but none came to the thirsty town.

Red river is falling slowly and steadily, and the water begins to make a fuss in passing over the falls or rapids—"*Rapides*"—showing that the surface is getting near the rocks below.

Number XIII.[17]

THE PARISH OF RAPIDES

Alexandria—The Falls—The Navigation of the River—The Town—The Ice-House Hotel—The Theater Manager J. S. Charles—The Merchants—The Churches—The "Fourth Estate"—The "Red River American" and C. W. Boyce—Col. M. Ryan—"The Democrat" and E. W. Halsey—Various Things—The Crops, Weather and River.

[17] *Ibid.*, June 12, 1860. No letter "Number XII" is found in the list.

Alexandria, Parish of Rapides,
June 2, 1860.

Ed. Crescent:—The town of Alexandria, the capital of the great parish of Rapides, and of the lower Red river valley, is located very nearly at the true geographical center of the State, about midway between the Arkansas line and the Gulf coast, and the Mississippi and the Sabine. The distance from Alexandria to New Orleans, via the Red and Mississippi rivers, is just about three hundred miles—one hundred and ten from here to the confluence of the rivers, and something less than two hundred from the mouth down.

Alexandria is just below the "Falls", or, more correctly, the rapids of Red river, the lower fall being on the upper border of the town, and the upper fall a mile above. By this location it secures uninterrupted water communication with the outside world much more continuously than do its neighbors, Natchitoches, Shreveport and other towns far up the stream. When the river is low, the falls, as everybody knows who knows anything about it, are impassable, the shallow water boiling furiously over the rocky bed. But when there is a moderate depth of water in the river, the steamboat traveler would pass over them without knowing there were any falls there, for scarcely a ripple on the surface would indicate their whereabouts or existence. When the waters are on the decrease steamers are very careful lest they should be caught napping above the falls and be unable to get down; but quite a number of small boats always remain above to attend to the trade and travel of the several hundred miles of navigation above the falls which this great river affords. Some of these boats confine themselves to those waters the year round, while others ply down to New Orleans when they can. When the falls become impassable, the boats from down river land their freights for points above at the lower side of the falls, and it is transported to the steamboat landing above by a horse railroad two miles long, which runs around the falls. It is there reimbarked and sent on to its destination.

The location of Alexandria, with reference to the navigation of the river, would ensure its growth and consequence, even if it were not in the center of a richly productive country. The merchants of Alexandria are not averse to the river getting so low as

to render the falls impassable, for the interruption of through traffic stops a good deal of trade here which might pass on. But the liability of the river to get too low below this point is hard on them, for it forces them to keep heavier stocks on hand than would otherwise be necessary. It is a very whimsical and uncertain river. It is told of it that it once rose about twenty feet in twenty-four hours, and, exhausted by the sudden effort, sank back to where it started from in little more than the same length of time which it required for the rise. Sometimes a man can wade across it, and then again a body of water fifty or sixty feet in depth is boiling through its channel. In 1849 it overflowed the whole valley, Alexandria being five feet under water for two or three months, a disaster, or an approach to which, that has not since befallen the town. The banks are leveed here and there, but with little regularity or care, as the water seldom transcends its legitimate bounds. The banks are not afflicted much by "slides," as along the Mississippi. A lofty and strong levee protects Alexandria, however, for the watery invasion of '49 made the people nervous.

Alexandria is an incorporated town of about sixteen hundred inhabitants. Mr. R. Legras is Mayor at this time. It is well built, and contains a number of substantial brick stores and other buildings. A spacious and handsome new Court-House of brick and iron is now being erected, and will cost over $30,000, it is said, the first estimate being $25,000. Meanwhile, Court is held in Odd Fellows' Hall, a large and fine building. A new and commodious market-house is being built, and an extensive hotel building is in course of erection. This is known as the "Ice House Hotel", from its occupying the ground where the former ice-house stood; the ice-house which supplies the town is now located under its roof. Ice, by the way, is furnished at three cents a pound. The building is sufficiently advanced to accommodate guests at this time, Mr. Joseph Fellows being the experienced and popular landlord. It will be a first-class hotel when completed. It is of brick, three stories high, and will accommodate a hundred persons. It will be heated by steam, have water and gas in every room, bath rooms, etc. Its cisterns are of seventy-five thousands gallons capacity. The theater hall is in the hotel, and Mr. J. S. Charles, the veteran and well-known actor and Southern manager, has just closed a two months season there. The

hotel is being built by a joint stock company, its enterprising projector, Judge M. R. Ariail, holding about two-thirds of the stock. Judge Ariail is also proprietor of the rosin gas works, located at the hotel, which distributes gas through the town to those who wish it at ten dollars per thousand feet—an expensive luxury, as compared with New Orleans prices, but a better article than coal gas. It yields a more brilliant and powerful light. The other hotels are the Fulton House and the Rapides House, the latter kept by "Uncle John Bogan", one of the older settlers of Alexandria, who knows everybody and whom everybody knows.

The principal dealers of the town are Messrs. H. Robertson & Co., to head the list, who are among the heaviest merchants not only of Alexandria but of the State; R. C. Hetherwick, S. W. Henry, J. McCloskey, Samuel K. Johnson, Edward Johnson, St. John & Burgess, Gray & Rosenthal, Gilbert & Leibshutz, Winehill & Brother, and J. McEvoy. The establishments of the Messrs. Johnson, and St. John & Burgess, dealers in drugs and variety goods, are not exceeded in extent of stock and elegance and costliness of arrangement and fixtures by any stores in the same line in New Orleans. Mr. A. Rachal, a most pleasant gentleman, a commission and forwarding merchant, keeps the warehouse at the steamboat landing. There is a well conducted restaurant and a number of fine billiard-rooms, bar-rooms, etc. There are a sash and a blind factory, a machine shop and an iron foundry in the way of industrial establishments. The town has good fire engines, for which there is little use. There are three churches—Episcopal, Rev. Mr. Dow; Methodist, Rev. A. N. Cravens; Catholic, Rev. J. P. Bellier.

To come to the "fourth estate"—there are two newspapers "The Red River American", C. W. Boyce, editor and publisher, and who does not know him? Who has ever spent a half hour in Alexandria but became acquainted with the big and jolly editor of the lively, sparkling, conservative and always ably conducted "American"—which, by the way, was established in 1856, by G. W. Stoddard, Esq., who now figures, so acceptably to its readers, as editor of the pen and scissors department of the New Orleans Crescent. Boyce, who is prospering as he deserves, is his worthy successor here, and the way he "makes the fur fly" when he gets after the "straightout Democracy" is curious! He is just now fighting the battles of the "Union Democracy" of Rapides, which

held a meeting, for the appointment of "anti-secession" delegates to the New Orleans Convention, a week or so since. At this meeting, which I attended, Col. M. Ryan made a very brilliant and powerful speech, which the "Democrat" pitched into savagely. Being an old companion in arms—in fighting mosquitoes and rolling pork barrels at Brownsville in '46, Col. R. and himself both being high privates in the Rapides company of valiant volunteers —Mr. Boyce took the cudgels for his cause, and is hammering away at "The Democrat", E. W. Halsey, Esq., editor and proprietor, Mr. Bradley publisher. Mr. Halsey was formerly connected with the New Orleans Courier, and is known throughout the State for the ability and courtesy of his editorial course. Mr. Halsey is the private secretary of Gov. Moore, and has been absent from the town while I have been here. During his absence Dr. J. W. Sevier, also formerly connected with the New Orleans Courier, has rendered material assistance in the editorial management of the paper.

Opposite Alexandria—across the river—is the village of Pineville, of which I shall treat in a future letter, wherein I shall have something more to say of Alexandria. Three and a half miles distant, in the piney woods, is the State Seminary of Learning. The building may be called splendid, and I hope, indeed, as every citizen doubtless does, that the institution will be as successful as it ought. I believe there are about sixty pupils now in attendance. The "Red River Railroad" runs to Bayou Boeuf, sixteen miles from Alexandria. It is owned by Mr. Ralph Smith, has been in operation about twenty years, and the charter will soon expire. It is alleged generally that it is not managed *pro bono publico* so much as *pro bono Smitho,* and consequently people seem glad that the charter is nearly out.

Weather, Crops, River

The drouth in and immediately about Alexandria still continues, but the neighboring country has been blessed, in spots, with fructifying showers. There is still time to plant and raise corn, if the weather becomes and continues of favorable character. Cotton is getting along pretty well, and ditto cane. The river is falling steadily.

Number XIV.[18]

PARISH OF RAPIDES CONTINUED

The Parish—Its Extent—Pine Forests, etc.—Pineville, Cheneyville, Lecomte, Cotile, Big Creek, Bear Creek, Lucky Hit, Hineston, Liberty Creek, Huddleston—Texas Drovers—Choctaws—Ten Mile—Heavy Planters—Statistics, etc.

Alexandria, Parish of Rapides,
June 6, 1860.

Ed. Crescent—The good town of Alexandria having monopolized the space of my last, the very kind readers of the Crescent will have to read through this other letter hence to find out more of interest touching the parish of Rapides, which stretches its wide area from the banks of the Sabine river eastward for more than a hundred miles, and to within a short horse-day's journey to the Father of Waters. And, in truth, I might devote much more than this other letter to this extensive sub-commonwealth of the State, for its area will compare in extent with that of some of the little States of the Northeast, though much of it is but thinly settled, being pine lands, which are esteemed poor by comparison with the rich bottoms of the rivers and bayous. But they bear a plentiful harvest of lofty pines, which yield rich returns to the humbler men whose mills are frequent along the water courses. The timber is pitch pine, and the lumber is only inferior to the better esteemed "yellow pine" of Florida and other States to the Eastward for building purposes.

These piney and elevated regions are, with reason, accounted very healthful, and many of the planters of the valleys have their summer residences there—rustic, but in many instances, spacious and even elegant resorts, to which they retire when the heated term renders their lowland estates uncomfortable if not unwholesome residences, and where they pass the summer in the undisturbed ease of thoroughly rural *dolce far niente*, varying the monotony by occasional visits to their plantations, and with the small excitements, pic-nics, and taking fish from the abundantly stocked streams, bayous and ponds. Cooling breezes maintain among the pines during the summer with almost the regularity of the daily and nightly sea and land breezes of the Gulf shore, and they are laden with the turpentine influences of the forests

[18] *Ibid.*, June 13, 1860.

through which they sweep, and which are voted to be of much sanitary account to the lungs and general systems of those who breathe them. Your invalid correspondent would fain have tested the virtues of these beneficent gales by sojourning within their sphere rather than in the valley here these two weeks past, had it not been incompatible with other interests than his health to do so. But I believe I am wasting paper which should be given to sternly practical matter, and I will leave reflections for facts. I return to my sheep meat.

In my previous letter I treated at length of the town of Alexandria, and I will now take the reader across Red river to its vis-a-vis, the village of Pineville, by an excellent steam ferryboat, owned and operated by Judge Airial, who has established the tolls at commendably low figures. Pineville is a pleasant, albeit somewhat sandy, and flourishing village of five or six hundred residents, with two stores, an Episcopal church, a good tavern and a lager beer brewery, which supplies a fair article of that weak potation to the thirsty sons of the fatherland, who are in considerable force hereabouts. In Pineville dwell a large number of citizens whose occupation is in Alexandria. The post-office of the latter place serves the Pinevillians.

Eighteen miles north of Alexandria is the post-office of Big Creek, the settlement amounting to little or nothing in improvements and population. Thirty miles south of Alexandria, near the borders of St. Landry parish, is the post-office village of Cheneyville, where W. Bailey, George C. Smith and one or two others have stores. Twenty miles from Alexandria, in the same direction, is Lecomte post-office, where Messrs. Sharrett & Williams "keep store", and twelve miles from Alexandria is Lamothe post-office, on Bayou Rapides, where Rosenthal & Co. "merchandise". Thirty-eight miles northeast of Alexandria, and near the borders of Winn and Catahoula parishes, is Bear Creek post-office, and here is "Randolph's Store". Twenty-five miles west of Alexandria, on Bayou Rapides, is Cotile post-office, where W. C. James holds forth as merchant.

Following out the stage road to Texas, it brings you first to Lucky Hit post-office, twenty-eight miles from Alexandria; then to Spring Creek, thirty-five miles, where N. Paul has a store; then to Hineston, forty-two miles, where a large store is kept by Mr. Hosea; then to Liberty Creek, sixty-five miles, where there is a store; and then to Huddleston, seventy-five miles, where are several

mercantile establishments, those of Hatch, Robinson & Co., J. P. Ettleman & Co. being among them. This catalogue comprises the post-offices and stores of the parish outside of Alexandria. E. R. Biossat, Esq., a very clever gentleman, and brother of a well-known Customhouse official of New Orleans, is Postmaster at Alexandria, which is a distributing office for Eastern Texas and North Louisiana. The post business at this office is very heavy, the Postmaster requiring the assistance of two or more deputies, though the mails are but tri-weekly.

The best lands of the parish are on Bayou Boeuf and in Red river bottom, and here are most of the wealthy planters. There is a large population of poor people in the pine woods, and the whole vote of the parish is about fifteen hundred. As I stated above, the parish extends to the Sabine, and the drovers and emigrants to or from Texas generally follow the Huntsville stage line road across that river and through the country. These drovers are rancher-looking fellows, with their wide hats, rough attire, bearded faces, and belted armaments of long bowie knives and army revolvers. I saw a squad of them so accoutred ride into town the other day. The large revolvers, worn in holster, are secured at the belt above, and below by a strap passing around the thigh, on the left side. They looked savagely anti-Comanche and anti-Greaser—not to say particularly dirty and dusty. The Choctaws have two small villages in this parish, on Bayou Boeuf and Bear Creek, of about eight and thirty inhabitants respectively. In the western part of this parish is the celebrated free colored settlement of "Ten Mile", from circumstances connected with which a certain well-known politician of the State acquired his distinctive *soubriquet* of "Ten-Mile-Bob". It is said that about eighty colored men are voted at Ten Mile by the unterrified Democracy whenever an emergency demands their loyal aid in carrying an election, and that the above referred to Robert inaugurated this business. *Quien sabe?*

The principal planters of the parish are—on Bayou Rapides, navigable for ten miles: Dr. T. H. Maddox, R. C. Hinson, Col. W. O. Winn, Johnson Beatty, Mrs. E. A. Carson, W. W. Whittington, J. H. Hinson, G. M. Graham, L. Texada, N. Davidson, J. H. Dawson, W. M. Sasser, S. W. Gordon, M. Jones, C. H. Blanchard. On Red river, above Alexandria: Henry Boyce, J. B. Sullivan, Dr. Luckett, Dr. Magruder, M. Ryan, J. M. Wells, M. Calhoun, P. T. Hickman, estate of William Waters, estate of Josiah Hule, J. H. Allcott, estate of T. J. Hickman, K. Blanchard, Henderson estate.

On Red river, below Alexandria and on Bayous Robert and Boeuf: J. K. Williams, Josiah Williams, Josiah Chambers, Gov. T. O. Moore, Linton estate, Wm. Polk, estate of W. K. Overton, Aaron Prescott, B. W. Frazier, Gervais Baillio, J. M. Stafford, Dr. R. M. Clarke, C. L. Matthews, estate of John Compton, M. and T. J. Wells, J. Pickens, W. R. Brown, R. L. Tanner, A. Jackson, L. A. Stafford, G. B. Marshall, Ralph Smith, Ezra Bennett, General P. F. Keary, estate of B. C. Rhodes, Thomas Neal, J. A. Calvert, D. A. Smith, J. and W. H. Osborne, Levi Wilson.

The total population of Rapides is near 21,000, of whom about 13,000 are slaves. The assessed value of property is about $13,000,000 and the State tax over $41,000, of which $13,000 is for the support of free schools. The staple agriculture of the parish is divided between cane and cotton, the latter receiving the most attention. The present officers of the parish are: Gervais Baillio, President Police Jury; W. J. Neal, Sheriff; E. R. Biossat, Treasurer; J. J. Swan, Assessor; Gustavus Labat, Clerk; Robert M. Kilpatrick, Recorder; Hon. E. North Cullom is District Judge, and C. N. Hines, Esq., District Attorney.

The drought still continues.

Number XV.[19]

ALEXANDRIA TO NEW ORLEANS AND RETURN BY BOAT

A Rambling Letter—Down and Up Red River—Things Generally —Snaggy Point and a Duplicate "Lay" Thereon—A Gracious Rain, etc.

Alexandria, June 26, 1860.

Ed. Crescent—I esteem it to be but the fair and proper thing that I should explain to the excellent readers of the Crescent, who are so deeply interested in the perusal of this valuable series of letters, the why and wherefore of their interruption for two weeks past, which was in consequence of a flying visit that this entertaining and reliable correspondent found it necessary to make to the city of New Orleans, thereby causing a suspension of the tour, which is now resumed to be prosecuted to the end thereof, which will be the end of Louisiana. It may be possible that there are several of your readers who have never had the felicity of traveling on Red River—"Old Red", as it is affectionately entitled by

[19] *Ibid.*, July 3, 1860. Heading supplied by the editor.

those who have had much to do with it, and have therefore experienced to the full all the endearing annoyances and vexations which its dubious navigation entails—and if such there be, perchance my random trip has yielded such incident as will instruct if not entertain.

Immediately after the date of his last previous letter this correspondent took passage from Alexandria on the very commodious, swift, luxurious and well officered steamer Conley, Capt. Sam Lawson, Mr. Geo. Hamilton, Clerk, and the river being low, spent the night on her a few miles below the town, for the Captain wisely conceived a nice discretion to be the better part of valor, and to be snugly tied fast to the river bank to be better than stuck fast on a mud bank, and so shrewdly adopted the former safe course instead of keeping a dangerous course down river. When daylight came the good steamer (now laid up for the season, as she does not "draw it mild" enough in the matter of water to go it satisfactorily on the short commons which the Red commonly allows to navigators in the summer) coursed rapidly down the winding stream, giving the curious correspondent a proper chance to see how the land laid along its banks. These lands are fertile, but the settlements and plantations are few and far between. Land speculators are holding almost all the best lands and demanding such prices as at present deter purchasers, but which they will realize at no distant day, for much interest is centered in this Red river bottom country.

In Avoyelles Parish, which the river traverses, the construction of very extensive levee works is going on at the expense of the State. These safeguards are occasionally necessary, but the Red is not so dangerous and powerful an enemy to the planter as the Mississippi is, and does not so regularly transcend the limits of watery propriety. From Alexandria to the confluence of the Red and Mississippi rivers the distance is one hundred and fifty miles—not one hundred and ten, as was erroneously stated in a former letter. For nearly the whole of this distance the primeval forests fringe its banks, unbroken save by the clearings of not more than a dozen or so plantations, a plentiful population of alligators and waterfowl having undisturbed possession of its shores. The only landings of any note are "Barbin's", 290 miles from New Orleans; "Norman's", 293 miles, and "Pierce's", 325 miles. The last thirty or forty miles of the river towards its mouth mostly runs through a level and readily overflowed country, having much

the appearance of batture formation. This land is generally very low and is thickly overgrown with willow and cotton wood, with occasional high lands on which the oak and a great variety of trees flourish. On the southern border of the parish of Catahoula, which runs down to the river about midway between Alexandria and the mouth, the Red river throws out two great branches, which, with their tributaries, penetrate far up into North and Middle Louisiana, under the names of Black, Ouachita, Tensas, Little and Dugdemona rivers.

About sixty miles below Alexandria is "Snaggy-point", a long, shallow, and continually shifting bend in the channel, which is, next to the falls above Alexandria, the greatest stumbling-block to the navigation of the river. I had a taste of Snaggy Point coming down, when the Conley hung, swung round, and finally "crawfished off" backwards, after a few minutes' suspense. But in coming up in the steamer Telegram I got a full meal of the luxury of Snaggy point, and acquired a realizing sense of the beauties of summer navigation of the Old Red. We hung for four or five hours, a mid-day sun showing no mercy, and a breezeless atmosphere giving no relief, and finally got off of our lay on Snaggy Point by a fresh-water edition of "club hauling"—hawsers were carried out to trees and stumps on shore, the steam capstan put to work, and the steamer dragged through the mud for a third of a mile by main force. Such painful circumstances aggravated me into putting my long accustomed machine to work to kill the time and to wreak my malice on Snaggy Point, and resulted in the grinding out of the following beautiful poem, which I am quite certain will excite a sympathetic feeling in the breasts of all who have ever been afflicted by a lay on Snaggy point in a small, uncomfortable boat, beneath a summer sun:

A "Lay" of Snaggy Pint

The sun of summer's fiery rays
Played on us as we plied the maze
Of crooked waters, which "Old Red"
Pours through his channel's shallow bed,
    As we came to Snaggy Pint—
That Sylla and Charybdis too
Of daring, reckless voyagers who,
On business or pleasure bent,
Or with something else in their intent,
    Bring up on Snaggy Pint—

Just as we did two hours ago
When 'neath the turbid waters' flow
Our steamer's prow, with stunning "thud",
A "sticking point" found in the mud,
And we lay on Snaggy Pint!
Leaving us to fret and fume and boil
Beneath the sun, while deck hands toil
To get off their *lay* on Snaggy Point,
While I, with dust and sweat annoint,
"Get off" my "Lay of Snaggy Pint".
The water's shallow, so's this rhyme—
But how can a fellow kill the time
Save by stabbing it with trenchant pen,
Dipt deep in spleeny ink gore, when
He *lays* on Snaggy Pint?
So, I thus retaliate the "lay"—
The lay upon the Point I pay
With spiteful lay on paper, and,
As worst mischance, thus widely brand
A lay on Snaggy Pint
For isn't it hard when you're fast bound
To somewhere else, to be fast bound
Upon a bar which may chance to lay
Right in your path and bar your way
As does this Snaggy Pint?
Our fast steamer swiftly passed
Thus far, but now a steamer fast
She is—stuck fast and firmer
Than could she elsewhere on terra firma
But on this Snaggy Pint.
But let it pass—as on the morrow
Perchance the steamer will: I'll sorrow
In metric feet no longer, but—
Thus, ere the steamer does, a period put
To a *lay* on Snaggy Pint.

I flatter myself that the chief punster of "Vanity Fair", or even "J.B.D." himself, will gain a useful wrinkle or two from a studious perusal of the above, and as for the people at large, I fancy I already hear the howl of popular indignation which they direct against Snaggy Point and the poet—against that for the crime, and against the latter as the executioner. But let it pass.

Perhaps such a scene of intense excitement was never witnessed anywhere as occurred in Alexandria to-day. The first rain, after about four months of drought, blessed the town. When the scattering fire of preliminary drops began to fall, the little children, who had forgotten what rain was and didn't recognize it, ran

shrieking with affright into the houses, deprived of their small wits by the singular natural phenomenon. The dogs howled, and horses and cows, mad with terror, fled away to seek shelter. An "eminent chemist" rushed from his drug store on Front street, caught some of the mysterious fluid, ran back to his laboratory, and with crucible and retort commenced a strict chemical analysis of the article, surrounded by a large assemblage of profoundly anxious citizens. After a searching analysis he pronounced it a genuine article of rain, an announcement which was received with "rapturous applause" by the crowd, who rushed forth into the open air to feel and taste the sky-sent blessing. The report that it was rain and nothing else spread like lightning through the town, and in a few minutes, and for hours afterwards, the streets presented the singular spectacle of hundreds of the oldest and most respectable citizens of Alexandria standing quietly and blissfully as ducks in a shower, with streams of rain water running down their backs and off the lower ends of their coat-tails. They had no fear. Science had pronounced it rain, and, thanking Heaven, they soaked and thought of old times. Ah, travelers see strange sights, especially if they wander into the interior of Louisiana.

The Crops, Etc.

Cotton still looks very well and promising in the Red river section. Corn is, actually, nowhere. The river is very low and falling. The falls are impassable, unless a daring steamboat captain, caught above them, dares to attempt to run the "chutes" between the bare rock on either side.

My next will be from Natchitoches, eighty miles above here.

Number XVI.[20]

THE PARISH OF NATCHITOCHES

The Parish of Natchitoches—The Glorious Fourth, Natchitoches Town and Red and Cane rivers—A Big Freak of Watery Nature—Natchitoches Now and Long Ago—Its Churches, Public Buildings and Merchants—The Race Track and Blooded Stock—The Post-Offices of the Parish—The Parish at Large, its Lands and Productions—Its Large Planters—The "Fourth Estate" and Wm. M. Levy, Esq.—Crops and Weather.

[20] *Ibid.*, July 11, 1860.

Natchitoches, July 2, 1860.

Ed. Crescent: I write from the ancient city of Natchitoches, (settled in 1717, as the sticklers for the merit of antiquity boast) which is just now in a proper state of patriotic excitement, induced by the near approach of the birth-day of the nation—which glorious anniversary your correspondent expects to celebrate by taking a pleasant ride of fifty miles from here to Mansfield, in De Soto parish, in a stage coach. The enthusiastic citizens have cleared out the muzzle of the antique six pounder which frowns savagely down the empty bed of Cane river, in front of the city, and there will be burning of powder, making of speeches and eating and drinking, and barbecuing and blowing of horns, and sore heads and repentance next day. Hooray for the Fourth of July! Hooray South and North! There, that's my celebration; I've done it and got it off my mind—now to business.

Natchitoches (or "Nackitosh" in the vulgate) by the river route is reckoned to be four hundred and sixty miles from New Orleans, and a hundred from Alexandria by the Red river route. Grand Ecore is its landing on the river, from which it is four miles distant. It was no fault of the founders of the town that it is now so inconveniently located, for they established the settlement right upon the bank of Red river, and so it stood for a hundred years or so. But in 1839 Red river adopted the convenient channel of a bayou as a shorter cut and deserted its bed for a distance of no less than seventy-five miles, which is now accomplished by the present channel in forty miles only of direct course, setting Natchitoches back from navigation four miles, and serving other old landing places and small settlements in the same way. The old bed of Red river is called Cane river, and is now, in front of the town, quite empty, the firm sand over which the torrents of Red river formerly boiled being as dry in places as the streets of New Orleans in summer. There is usually, however, for a month or so every season, water enough in Cane river to allow light-draft craft to take the crop away to market. When there is fifteen feet water on the falls of Red river, then Cane river is known to be navigable. The very deep and wide bed of this suspended river, with its high bluff banks, on which the town fronts, is a remarkable and interesting aspect, and worth the seeing of those who go a looking after strange things in nature. Cane river finds its way into Red river forty miles above Alexandria.

Natchitoches is an exceedingly pleasant and picturesque town of about sixteen hundred inhabitants. It is substantially and tastefully built, and its residences betoken wealth and refinement among its people. Many planters in the neighboring country have residences here which they occupy in the winter, passing the summer upon their plantation. The unfortunate whim of Red river in deserting it, cut it off from much of its trade with the outside world, and its business is mostly local and its trade connections confined to the immediately adjacent country. But this business is large, and the stores are numerous and spacious. In old times it was a place of much commercial note, being a frontier market, resorted to by the Texas Mexicans and the settlers up Red river. That was before the annexation of Texas and the rise of the flourishing town of Shreveport. It was also a military station and depot, and earthwork remains of fortifications are extant. Fort Jessup, twenty-five miles further west toward the Texas line, in the parish of Sabine, succeeded it as the outpost station of American military, and its occupation was gone in turn, as a station of importance, when Texas was acquired.

The Creole element of population is rather in the minority in the parish at large, but in the town it is predominant in a small degree. Here is the Episcopal residence of Rt. Rev. Bishop Martin of the Catholic Church, and the Cathedral of the Immaculate Conception, a large and stylish brick building, is nearly completed. A Protestant Episcopal congregation, Rev. Thomas S. Bacon, rector, have nearly completed a very handsome brick church. These are the only two church edifices in town, but there are several large and finely appointed bar-rooms. The Convent of the Sacred Heart is a large and very handsome brick building, where sixty or seventy female pupils attend, and seventy or eighty male pupils are enrolled at the College of St. Joseph, conducted under the direction of Bishop Martin. A handsome Masonic Hall and Court-house building are approaching completion, various other buildings are going up, and every appearance indicates that if "Nackitosh" *is* old, its age is hale and lusty. Many of the buildings of the town have a really antique aspect. The principal merchants of the town are Messrs. Cloutier & Prudhomme, Metoyer Bros., Walmsley, Carver & Co., Airey & Colton, J. B. Plaisance, P. M. Backin, A. Deblieux, Buvens & Genoa, Alphonse L'Herison, J. A. Ducornau, J. Laplace and W. Y. Fleury. The drug stores are kept by Messrs. T. Wakefield, who is also postmaster, T. Lacoste and J. W. Tabor.

Joseph J. Gabent keeps a hotel and a fine one, and another establishment of the same sort is kept by L. Giaunoni. Messrs. J. J. Patton and Theodore Schuman have spacious and handsomely arranged saloons, and notwithstanding the great difficulty and expense in the way of such enterprise, keep their customers unfailingly supplied with ice.

Opposite the town is a well arranged race course, over which there is a regular meeting every spring, and there is a flourishing Jockey Club of fifty members. Messrs. A. Lacomte and P. Prudhomme, the owners of that well-known "flyer" *Uncle Jeff*, are breeding fine blooded stock, and I am told that they now have in their stables several very promising colts, from which much is expected "when they come to their feet."

"Adaies" post-office, ten miles from Natchitoches on the road to Fort Jessup, is an old Spanish settlement where fandangoes are in vogue, and where, until within a few years past, the people vindicated their nationality with an occasional bull-fight. There is a store and a Catholic church there.

"Campté" is on the Red river, six miles above Grand Ecore, and is a place of considerable business, which is done by Messrs. H. Levasseur, Hart & McDaniel, W. Fletcher & Co., Louis Marcy, R. Lambre, and Mr. Shiff. There are billiard and bar-rooms and a Catholic church there. "Cloutierville" is thirty miles from Natchitoches, and there Messrs. Abel Sers, J. H. Gallieu and A. Marinovich have stores. There is a Catholic church there. "Kissatchie" is a small post-office settlement on the Texas road, twenty-five miles from Natchitoches. There is a Methodist church and camp-ground there. At "Marthaville", twenty-one miles on the Shreveport road, there is a Methodist church. At "Coushatta Chute", on Red river, thirty-five miles above Natchitoches, there is a Methodist church and Seminary, and stores are kept by A. M. Lisso, S. A. Harvin and B. H. Beard; and Messrs. Julius Lisso and Bosley & Jones have stores at Coushatta Point. At "Nine-Mile Spring", nine miles from Natchitoches, there is a Baptist church, a Masonic Lodge and a store, but no post-office.

Natchitoches, as every one knows who knows anything about it, is an extensive and fertile parish. It makes no sugar and its lands are devoted to cotton and corn. Its area is 366,000 acres, of which over 200,000 are still uncultivated, about 38,000 being in cotton and 18,000 in corn. There are several bayous in the parish,

along all of which are fine lands. One of these, Bayou Pierre, is now being cleared out with a view to making it navigable. About all of the valuable lands have been long since entered, and are now held in private hands at prices as high as twenty-five dollars per acre for some tracts, from which not a stick has been cut. And here I may mention that the U. S. Land Office for the Northwestern District of Louisiana is located at Natchitoches, S. H. Hyams Register, and J. LaPlace Receiver. It is a very heavy office in its operations. Large bodies of very rich lands have been reclaimed by the draining of Spanish Lake on the western side of the river, and the lands adjoining Black Lake on the eastern side are being drained.

The heavy planters of the parish, who make three hundred bales and upwards, are Messrs. H. Bryant, Dan. Brown, Michael Boyce, J. R. & P. R. Bosley, Breazeale & Co., Chas. P. Blanchard, Terence Cheiler, Cockfield & Benoist, J. B. Choppin & Co., N. D. Calhoun, John Frazier, Nicolas Gratia, Thomas Hunter, S. M. Hyams, estate Francois Gaienne, estate Martin Hearut, estate Jean Francois Hertzog, Ambrose Lecomte, H. Hertzog, E. L. Hyams, estate Ben. Metoyer, H. M. N. McKnight, L. L. McLaurin, N. Prudhomme, St. A. Prudhomme, J. B. Prudhomme, J. Prudhomme, F. Prudhomme, A. Prudhomme, L. Prudhomme, J. B. Plauché, Sr., J. B. Plauché, Jr., E. Rost, estate Francois Robieu, Robieu Bros., E. Sompayrac, A. Sompayrac, estate Thorn, estate L. R. Walmsley, Jos. Henry & Co., W. O. Breazeale & Co., F. G. Bartlett, N. Lambré, J. B. Cloutier, Sr., Col. J. L. Lewis. The whole population of the parish is about 14,000, of whom rather more than half are slaves. They pay a State tax of some $22,000.

There are three newspapers published in the parish of Natchitoches, two of them in the town of Natchitoches—the "Union", a newly established paper, by Mr. Ernest LeGendre, formerly of New Orleans, and a gentleman of ability; and the old and widely-known and valued "Natchitoches Chronicle", by Wm M. Levy & Co., edited by Wm. M. Levy, Esq., of the law firm of Levy & Drauguet. Mr. Levy is a lawyer of acknowledged eminence throughout this portion of the State, and the vigorous and graceful pen which he wields in his journalistic province had added an enviable editorial reputation to that which he has acquired at the bar. Under the supervision of Mr. John Dickinson, head man of the practical department of the office, the art of job and fancy printing has been brought to a perfection which I have not noted elsewhere out of

the metropolis. Dickinson's jobs equal any "city work", and are quite a credit to the town which can sustain such a printing office and such a printer. The "Campté Times" is a small paper lately started at Campté by Messrs. Myers & Richardson, and is a rather clever little sheet. Among these matters of personal mention I must remark how much the Tourist is indebted to the courtesy of Francois Vienne, Esq., and of Mr. Levy. They displayed an unwearied patience and politeness in answering his manifold questions, and "attended to him" in tip-top style.

The Crops and Weather

Rain is much wanted. Cotton, however, looks promising, and the probability, so far, is that the yield will be large. The corn crop in this, as in the adjoining parishes, is a disastrous failure. The planters' stock will show their ribs this season, for "stock never fattens on bought corn", especially when prices are at the figures that they are and will be hereabout.

My next letter will be from Mansfield, in the parish of De Soto, fifty-five long miles from here, and about midway between this place and Shreveport, by the stage line.

Number XVII.[21]

THE PARISH OF DE SOTO

The Road from Natchitoches — The Parish, its lands, planters, people and characteristics of climate and soil—Its Educational Institutes—Mansfield—Its Churches, public buildings, merchants, etc.—"The Eagle" and W. F. T. Bennett—Keachie and other settlements and post-offices in the Parish—Weather, crops, officers of the parish, etc.

Mansfield, De Soto Parish,
July 7, 1860.

Ed. Crescent—My last letter was from the town of Natchitoches, which is distant from Mansfield, the parish seat of De Soto, whence I write, fifty-five miles via stage road—fifty-five long and weary miles this dry season, for the road is rough and dusty in the extreme. It is a "ridge road" and running thus along the high lands which are comparatively sparsely populated, the

[21] *Ibid.*, July 18, 1860.

traveler sees few of the improvements of a wealthy and populous parish, for these are mostly located in the bottom lands, where may be found many fine and extensive cotton estates that add many thousands of bales to the yearly aggregate of the crop returns of Louisiana.

The heavier planters of the parish are Messrs. Henry Marshall, John Marshall, Boykin Witherspoon, Charles Edwards, T. M. Gatlin, E. T. Robinson, Jesse Goodwin, Dr. G. A. Frierson, Major J. J. Greening, Mrs. Maria Childers, Dr. B. F. Chapman, Henry Morse, Geo. C. Burns, R. T. Johnson, John Jordan, H. Phillips, M. Hale, T. P. Hale, Wm. Hale, John Ross, Samuel Ivey, Jesse Ivey, B. Dixon, H. Turner, John and Isaac Murrell, A. M. Chapman, J. W. Munday, Samuel Clark, Mrs. Rochelle, W. T. Fortson, Major Logan, Charles S. Pegues, Thomas Gilmer, George R. Hayden, W. Pitts, D. Eastman, Col. H. Sloan, John W. Reeves, James Hollingsworth, Wm. Crosly, Major Tompkies, L. L. Tompkies, George Eldridge, Dr. Firman, Mrs. Means, Jeptha McCraw, B. W. Pearson, Jas. Nolan, Y. W. Graves, and perhaps others, but all of the above can make two hundred bales and some of them quadruple those pretty figures.

De Soto parish lies between Red river and the Texas line, and borders on the parishes of Natchitoches, Sabine and Caddo. By the Red River and Mississippi route its lowest point of the parish on the former river is something over five hundred miles from New Orleans. It is rapidly increasing in wealth and population, which it has chiefly drawn and is still drawing from the States of Georgia and Alabama. As indicative of this prosperous increase, the parish will be assessed for the present year at upwards of a million dollars more than for the previous, and the vote will reach nearly eleven hundred, or near two hundred more than heretofore. The population of the parish is about thirteen thousand, of whom near eight thousand are slaves. Its area comprises two hundred and forty-six thousand acres in round numbers, of which some thirty-six or seven thousand are in cotton, and some twenty-eight thousand are in corn. Its valuable lands are about all in private hands, and are held—for the bottom lands, at from fifteen to twenty dollars per acre; the uplands at from five to ten dollars. Among the larger land holders may be mentioned T. H. Patterson and Thomas Hunter, who have from eighteen to twenty thousand acres each. The soil is light, friable and easily tilled, and the labor of "keeping the

crop out of the grass" is small compared with what it is in the alluvial lands of the State. The climate and atmosphere partake in a large degree of the dry, pure and healthful peculiarities which characterize those of the uplands of Texas, which the parish adjoins.

In refinement, education and social attributes the people excel, and the educational spirit is, par consequence, strongly abroad among them. In the parish are located several institutes of learning of high standing in the country—liberally endowed, largely patronized and wisely administered. The Mansfield Female College, in this town, occupies a very handsome, spacious and costly brick building, is attended by from a hundred and thirty to a hundred and fifty pupils, who are accomplished in all the abilities and graces of a thorough education by an able faculty, at the head of which stands Rev. H. C. Thweatt, as President of the College. This institution is under the patronage of the Methodist Episcopal Church. At the pleasant village of Keachie, twenty miles from Mansfield, is the "Keachie Female College", under the patronage of the Baptist Church; Rev. J. H. Tucker is at the head of its very competent faculty, and an average of a hundred pupils are enrolled for its sessions. At the village of Pleasant Hill, twenty miles from Mansfield, in another direction, the foundations of the "Pierce and Payne College", for males, are just being laid, under the auspices of the Methodist Episcopal Church. A fund of nearly a hundred thousand dollars, already contributed, ensures the fruition of this enterprise. At Mansfield there is an independent institution, also for males, which is meritoriously conducted. Public schools, too, are thickly scattered through the parish.

Mansfield, the parish seat, is located nearly in the geographical center of the parish, about seventeen miles from Red river on the east, and near the same distance from the Sabine, on the west. It is essentially an inland town, and is ten miles from the nearest navigable water—which is lake, or Bayou Pierre, on which are four landing places at which goods may be debarked that come by the way of Red river, from which they are boated seven miles through Grand Bayou, and thus into Bayou Pierre to the Mansfield and general landings, severally known as Smithport, Marseilles, Newport and Augusta, at neither of which are settlements of any note, though near Smithport there is a Catholic chapel, the only one in this Anglo-American parish. The situation of Mansfield is pleasantly rural and retired, on elevated ground, and it is a well-

built town of some twelve hundred inhabitants. It is a scattering town, with large gardens or small fields pertaining to most of the residences, which make it all the pleasanter. The prime feature of the town is the female college, which is a very handsome building, and stands upon an elevation that secures it a commanding aspect. The Court-House is a substantial and tasteful brick erection, and several of the stores are creditable in matters of style, extent and workmanship.

There are three churches in the town—a Methodist, Baptist and Campbellite-Baptist. The hotels are the "Planters' Hotel", a good house, kept by Col. H. J. Phillips, and the "Globe Hotel", by Squire J. E. Cunningham. The stores are generally large establishments, as a good deal of business is done here—principally by Persons, Burns & Carruth, Woodham & Williams, Yarborough & Best, West & Jackson, and J. C. Porter, dry goods and variety dealers; J. S. Jackson & Co., and H. E. H. Buck, grocery dealers; Wimbish & Crump, and S. W. Greening & Co., druggists. The good people of Mansfield enjoy a blessed exemption from the plague of mosquitoes and good spring and well water, and are thus happy in not being dependent on "bars" and cisterns for two of the necessaries of life—sleep and water. The air, too, is an admirable article for the lungs of men, and makes them hale, hearty and healthy. W. F. T. Bennett, Esq., lawyer and editor, presides as Mayor of this flourishing corporation; and right here I might as well indulge in a little personality touching a brother of the editorial quill, and say what I think of Squire Bennett, of "The Eagle"—which is also what the people generally think of him, to-wit: That he is as clever and genial a gentleman and as able, promising and prosperous a young lawyer, as the good old State of Tennessee ever sent abroad to rise to distinction and add a valuable and creditable citizen and true Southern man to the population of another State. The amiable and enlightened correspondent of the Crescent is largely indebted to the courtesy and attention with which Mr. Bennett has cheered him in his wayfarings, and therefore suggests that the people at large take "The Eagle" and the New Orleans merchants advertise in it—more for their benefit than his. Here is the place for cotton merchants to operate, for over 600 slaves have been brought into the parish and put to tilling the staple during the current year.

The following places are post-office stations in the parish: Keachie is a pleasant and thriving village, twenty miles northwest of Mansfield. Here is located the college spoken of above, and

Methodist, Presbyterian and Baptist Churches. The merchants of the place are Messrs. Sample & Hollingsworth, Bolles & Fisher, Cosgrove & Co., and Aaron & Dufoss. Pleasant Hill is twenty miles southeast of Mansfield, where business is done by Messrs. Jordan & Foster. There is a Methodist church there. Kingston is twelve miles north of Mansfield, and there Messrs. Scott & Frierson are the merchants. At Grand Cane, twelve miles west of Mansfield, there is no particular business done. At Logansport, twenty miles southwest of Mansfield, there is a Methodist church, and Messrs. Martin & Co., P. H. Martin, Henry Ashton, and John Culbertson operate in merchandise. Longstreet is twenty miles west of Mansfield. It has Baptist and Methodist churches, and W. C. Peyton is the merchant. Black Jack post-office is ten miles north of Mansfield, and there is no store to speak of, though I suppose the Black Johns will do something in that line in due time.

Weather, Crops, Etc.

A fearful drouth seems determined on blasting the hopes of the planters of De Soto and other Red river parishes. As yet, however, the cotton can scarcely be said to have suffered. The crop, for good or bad, will be determined generally after the middle of this month, and there is yet time. The corn, however, is done for, and it is really pitiful to see the wide fields of blasted vegetation. Some planters will make some, others little or none.

The present officers of De Soto parish are John Wagner, President Police Jury; J. P. McKleroy, Assessor; T. J. Williams, Sheriff; C. M. Pegues, Treasurer; and John Sutherland, Clerk.

My next letter will be from Shreveport, in the parish of Caddo, which place is forty-five miles from Mansfield.

Number XVIII.[22]

THE PARISH OF CADDO

Shreveport—What is Likely to be its Future—What It Is at Present—Its Business—Its People—Its Business Men—Industrial Establishments — Churches — Newspapers — The Various Settlements in the Parish—The Great Raft—Scopini's Point and the New Cut-off in Progress—Lands, Agriculture, Planters—The Weather and Crops.

[22] *Ibid.*, July 21, 1860.

Shreveport, Parish of Caddo,
July 12, 1860.

Ed. Crescent—I write, as you see, from the commercial emporium of Northwestern Louisiana, a flourishing young city, which most think will go on and wax mighty and rich; while others, of the "large and respectable" croaking class, sagely and mysteriously shake their heads and indefinitely set forth an opinion, that Shreveport will very soon, if it does not now, see its best days, and remain stationary or even retrograde. These ill-ominous prophets hint that the projected railroads which are to run all around to it, or through it, will do this bad job for Shreveport, by diverting from, rather than bringing trade to its mart. Though I have to do with the present rather than with the future of things and places, and am "no prophet, nor the son of a prophet", yet I suppose that I have as good a right to express an opinion on a mooted question as any one else, especially as I can wrong nobody, as no one is obliged to take an opinion at the valuation of its author, but at such as himself or herself may choose to put upon it.

Shreveport will, doubtless, never be less than it is now in matters of trade and population, and it is altogether probable that it will much increase, for whatever of distant trade may be diverted to more convenient shipping markets, will be more than compensated by the local trade of the large and augmenting population of the fertile surrounding country. That it will ever be a great city, as the very enthusiastic have predicted, I see no grounds for believing. It has not got the position for such centralization of wealth and population, but it has a position which will insure its career as a thriving and prosperous little city, considerably larger than it is now. Having thus definitely and decisively settled the future of Shreveport, I will attend to its present status.

Shreveport, the capital of the parish of Caddo, which last is situated in the extreme northwestern corner of Louisiana, is located on the bank of Red river, about twenty-five miles by land, and about forty-five by water, below the commencement of the celebrated "Raft". Its founders selected for the site of the future city about as hilly and inauspicious patch of ground as could be found without going out of the State to look for it, and thus entailed upon posterity a vast deal of laborious hill climbing, expensive grading, etc., etc. Very costly grading operations are now going on; real estate is being dug off of hills by thousands of cubic yards and

added to the real estate of ravines and valleys, but all will not avail to make the city level unless it is pulled down, the whole ground graded, and the city rebuilt,—and then I doubt if it would be anything like level.

The population of Shreveport is about thirty-five hundred and it votes about four hundred and fifty ballots within the corporation. The amount of business done is in large disproportion to its population. In fact the place has gone business mad, and the people do not seem to live there, but to stay there to do business. They care comparatively little about the style of their dwellings, but build very spacious, substantial and expensive stores of fine brick work. There seem to be more stores than residences. The bar-rooms are surprisingly few for a town of its size, not equalling the number in some places of half its size, which I have visited in our good State. Indeed, I have noted that it is invariably the case that in dull and sleepy places the liquor interest is out of all proportion to the number and means of its inhabitants, which is very striking evidence that idleness is the father of sin. In Shreveport the people are too busy to fall into loafing potatory and vicious habits of life—hooray for them.

I give the names of the principal merchants of Shreveport, and were it my object, it would be too tedious a task to catalogue the concerns of second rate caliber in all the departments of trade which crowd its thoroughfares. Dealers in dry goods: Messrs. Childers & Beard, Walters & Elder, McClure & Smith, Lanna & Spor, A. Marx, W. Marks, A. Hunt & Co., and A. Winter. In groceries: White, Smith & Baldwin, Stacy & Wells, H. Harris & Son, Rhodes & Buckleugh, Barrow & Spear, T. H. Etheridge & Co. and C. McCarty. Commission and forwarding merchants and grocers: Messrs. Howell & Buckner, Howard, Tally & Co. and A. M. Hull & Co. In general merchandise: Messrs. E. & B. Jacobs. Dealers in drugs and books: Messrs. Ball & Dashiel, T. H. Morris, and Smith & Lewis. In books, stationery and periodicals: Messrs. A. L. Hay, and Hyams & Bro. In the way of industrial establishments there are various lumber mills, W. Rose's gin factory, T. W. Jones' foundry and machine works, and the marble works of Webb, McCulloch & Co., who turn out most admirable work and supply half the country with tomb stones and any other article in marble which may be desired. They employ excellent artists whose work indicate genius, taste and skill as witness elaborately sculptured

mantels, etc., from their factory. Here is a branch of the "Citizens' Bank" occupying a very handsome building, and the private banking house of B. M. Johnson.

Shreveport is supplied with rosin gas—a good article, which is furnished at the very reasonable price of three dollars per thousand cubic feet. The Catholic denomination has a church here under the management of Father Pierre, and a convent is soon to be established. Rev. Mr. Surat is pastor of the Methodist Church, Rev. Mr. Macallister of the Presbyterian, and Rev. Mr. Hay of the Baptist. Rev. A. B. Russell is the Protestant Episcopal rector, and his congregation have now in course of erection a perfect gem of a church edifice. It is of brick, and the ground plan is in the form of a cross; the workmanship is excellent and the architectural style striking. A twenty thousand dollar court-house is being built, and it is the general opinion that it should be larger and more costly, I believe. There are two papers in town—The Southwestern, by L. Dillard & Co., and the handsomest interior journal in the State; and the Caddo Gazette, owned and edited by Dr. Drury Lacy, published by Robert C. Lowe. Jonas Robeson, Esq., is at present the honorable Mayor of the corporation of Shreveport.

Greenwood is a considerable little place, sixteen miles west of Shreveport, and very near the Texas line. There is a Methodist Church there, a fine hotel building, and business is done by Messrs. Flournoy & Rhodes, Pegram & Greenhill and E. H. Baugh. Albany, on Ferry Lake, twelve miles from Shreveport, is a shipping point of some note, and business is done there by Messrs. Hare & Hawkins. At Spring Ridge, twenty miles south-west of Shreveport, there is a Methodist Church, and a store kept by Dreyfus & Bro. At Mooring's Port, J. M. Christian and Kroom & Bickham look after mercantile interests.

A good portion of the territory of Caddo Parish is covered by lakes Sodo, Caddo, Ferry, Cross and Black, and a vast deal of unnecessary water is kept in the beds of some of them by the backing of the tide of Red river by the great "raft", which now blocks up the channel for a distance of twelve or thirteen miles, some two and a half miles of logs having been added to this mammoth obstruction by the high water of last winter. This last addition brought the upper portion of the raft above the upper mouth of the bayou by which the raft was previously circumnavigated, and since then craft have not passed by it up the river. It

is the general opinion that the raft could be removed without any enormous expenditure. In 1838 the raft was cleared out and through navigation thus secured by operations conducted under the superintendence of Capt. Shreve, and in 1842 the raft was again removed by Gen. Williamson, and boats passed through. The very narrow and crooked nature of the river is the cause of the logs catching and accumulating at the place where the raft forms.

Thirty miles by water below Shreveport is Scopini's point, where a cut-off is now being made to avert the threatened diversion of the waters of the river through Tone's bayou into Bayou Pierre. Tone's bayou makes out of a bend which curves round so that the river travels seven miles round to get ahead two or three hundred yards. The cut-off is about three hundred yards across—is to be a full sized channel across the neck of the land enclosed by the bend, and it is believed that "Old Red" will take kindly to the new bed thus carefully prepared for it, and decline the invitation of Tone's bayou to make use of its.

There are some good lands in Caddo Parish which are not yet in the market, the surveys not having been completed. About all the valuable lands, however, which have been put in the market were at once taken up, and are now held at prices varying from twenty-five to thirty dollars per acre for bottom lands and from five to ten for uplands. Improved plantation lands in Red river bottom run up to extraordinary fancy prices, and there is talk of seventy-five and a hundred dollars being asked for them. The territorial area of Caddo Parish comprises nearly 213,000 acres, of which some thirty-three or four thousand are in cotton, some twenty-two or three in corn, and about one hundred and fifty thousand uncultivated. The following are among the heavier planters, not one of them making less than two hundred bales and many much more: L. D. Aireck, Edwin C. Andrews, J. H. Brown, Joseph Beard, David F. Dickson, Mrs. H. M. Bossier, W. E. Doty, Michael Dickson, estate of R. F. Eppes, A. Flournoy, Jr., Dr. A. Flournoy, R. H. Godwin, N. M. Gilmer, Samuel Hollingsworth, Mrs. Francis D. Hearne, Robert Hodges, E. C. Hart, W. J. Hutchinson, E. K. Hall, W. W. Harper, estate of Sanford Jones, James C. Jones, V. H. Jones, B. F. Logan, James Marks, John Pickett, A. D. Palmer, John Page, Geo. W. Robinson, Leroy Templeman and Reuben White. The population of the parish is upwards of twelve thousand, about two-thirds of whom are slaves.

The Weather and Crops

The unprecedented drought continues, and threatens total destruction to the crops. The corn crop is hopelessly and almost completely cut off, and the cotton is suffering much. Everybody is expressing apprehensions of distressing times in this latitude in consequence of the anticipated failure of all the crops, as well as corn, which is now sold for two and a quarter per bushel in these parts. The children of the poor will be crying for bread this year.

My next will be from Bellevue, the parish seat of Bossier, nothing happening.

Number XIX.[23]

THE PARISH OF BOSSIER

Bellevue—The Bossier Banner—Fillmore—Benton—Collinsburg—Rocky Mount—Plainville—Cotton Valley—The Way the Planters' Hotel in Bellevue is Kept—Some Reflections—The Parish and its Lands—Its Planters—Parish Officers—Crops, Weather—Price of Corn, etc.

Bellevue, Bossier Parish,
July 14, 1860.

Ed. Crescent—I write from the Parish seat of Bossier, the city of Bellevue, a "scrougin" little corporation of about a hundred and fifteen or sixteen inhabitants, Mayor, one store, two bar-rooms and a church, which, however, they don't "run regularly". The Court-House is a fine building, however, and it is rumored that its being there is about all that retains Bellevue as the seat of the parish, its location not being a very convenient one. Here is the parish jail, too, with the doors of all its cells standing hospitably open to receive a resident, and strong as the penitentiary. Jack Sheppard, himself, might bid hope farewell on entering the Black hole of Bossier. The church was built by the Methodists, but is occasionally used by the Baptists. The landing place of Bellevue is Murrel's Point, thirteen miles distant, on Lake Bisteneau, which is navigable for from three to six months of the year, though in 1855 it inconveniently happened that it was not navigable to that point at any time. At Bellevue is published the Bossier Banner, the only

[23] *Ibid.*, July 30, 1860.

paper in the parish, and which, after many of the ups and downs which are not uncommonly incident to newspaper existence, finally fell into the hands of its present proprietor, and became a permanent institution. Mr. Wm. H. Scanland is editor and proprietor of the Banner, and, we suspect, about the youngest of the whole fraternity, being not yet twenty years of age. He has had the paper over a year, and his contemporaries up in these parts who have got foul of him have had no reason to come to the conclusion that his youth was at all in the way of his taking care of himself, with pen or other weapon, he being one of Young America's "representative men" in all respects.

Bellevue is twenty-three miles from Shreveport by the stage road. On the road, and eight miles South of Bellevue, is Fillmore post-office, where there are Methodist and Baptist churches, a spacious store kept by W. E. Hamilton, and three or four residences. Bossier Point office is eighteen miles south of Bellevue, and there is a Methodist church there, but no store. At Benton, sixteen miles west of Bellevue, K. P. D. Taylor & Co. keep store, but the settlement is very small. Collinsburg is twenty-three miles northwest of Bellevue. The Methodists have a church there, and G. W. Sentelle & Brothers have a store. At Rocky Mount, fifteen miles northwest of Bellevue, a considerable business is done by Messrs. Stewman & Hughes, and Crawford, Hughes & Co., and there is a Methodist church. Plainville is twenty-five miles west of Bellevue, and there J. J. Swindle is engaged in mercantile pursuits, and both Methodists and Baptists have meeting-houses. The landing places at Collinsburg, Rocky Mount and Plainville are at Hurricane and Carolina Bluffs. Cotton Valley office is fifteen miles northeast of Bellevue. There Messrs. Hamilton & Edwards are the merchants, and the Baptist and Methodist denominations have churches. At Orchard Grove office, twenty-five miles northeast of Bellevue, there is no store and no "settlement". Those who visit the capital of Bossier should come prepared to "camp out", for while this correspondent was partaking of his bacon and bread in the *salle a manger* of the "hotel", he had to keep his feet in continual motion to defend himself against the pigs under the dining table. These cleanly and agreeable household pets run round the house more sociably than cats and dogs, and, conjointly with the bipeds, make a rush for the victualing apartment whenever the bell announces meal time. The fare at the hotel is bacon and bread for breakfast, bread and bacon for dinner, and some bacon and bread

for supper. We have bacon on the table and bacon under the table—the latter very much alive and uncured, the former very salty and rusty. It is a great pity that the rural Anglo-American of Louisiana does not understand the mere rudiments of the science of living. In this climate and with this soil he might live in luxury. At few country stopping-places do I find milk, eggs, butter, fresh meat or vegetables. Occasionally one of the above articles may be had, seldom more than one at the same place, and ordinarily not any of them. The Creole population, in their part of the State, invariably live well. Our Americans, generally, had rather raise fifty dollars' worth of cotton than five hundred dollars' worth of anything else.

Bossier parish is extensive, and contains a great deal of fine cotton and corn lands. Its territorial area comprises over two hundred and sixty thousand acres of land, and it has forty odd thousand acres in cotton, and over twenty-five thousand in corn—sufficient, if the season was favorable, to yield twenty-three or four thousand bales of cotton, and some five hundred thousand bushels of corn. The parish borders on Arkansas, is bounded on the west by Red river, and on the east by Dauchite river and Lake Bisteneau. It is a long and narrow parish, wedge-shaped, and its river and lake boundaries, and Bodcau river and lake and tributaries in its interior, secure to it a large extent of rich bottom lands, which are worth from ten to seventy-five dollars, improved and unimproved, per acre. The uplands, some of which make very good crops, but nothing like what the bottoms do, may be quoted at from five to ten dollars per acre. There is a good deal of land in the upper part of the parish on which the surveyors are yet at work, closely watched by speculators and others who have "spotted" the best tracts, and are in waiting to secure them as soon as brought into market.

The following are the names of the larger planters of the parish, making from two hundred bales to almost a steamboat load: Col. J. M. Sandidge, John Pickett, Jas. Pickett, Mrs. P. Pickett, John Adger, Mrs. Mary Jane Sutton, Mrs. Macaulay, Dr. J. W. Vance, Dr. S. W. Vance, R. Y. Graves, Miss Mattie Gilmer, George E. Gilmer, Thomas Gilmer, Col. Marshal, Mrs. M. D. C. Kane, R. C. Cummings, E. C. Hart, Reuben White, Maples & Ivens, M. Lattier, George Williamson, W. M. Pickett, J. L. Hodges, E. C. Adkins, Edmund W. Hodges, J. J. Bryan, David Platt, W. H.

Ellison, James H. Hughes, John Hamiter, Dr. H. McFarland, D. I. Hooks, Col. Gatlin, Gen. P. A. Morse, estate J. B. Suggs, W. M. Burns, Dr. S. Kannal, John Chaffe, Frank Smith, J. N. Bryan, Mrs. H. N. Haughton, and others. There are many small planters on the uplands in this parish, working little more force than their own two hands, strong and willing, who make in the aggregate a good deal of cotton. Bossier is the most broken and uneven country I have yet visited in Louisiana, and some of the highlands look barren enough, but in the bottoms may be found bodies of lands of unsurpassed fertility. The river bottoms are the best, the lake bottoms far inferior, which accounts for the wide range of prices given above.

The total population of Bossier is between eleven and twelve thousand, over seven thousand of whom are slaves, and it pays a State tax of twenty thousand dollars. It is assessed for over six millions of dollars in round numbers. The parish officers at this time are: A. A. Abney, Clerk; Philo Alden, Sheriff; John M. Doyle, Assessor; Austin Miller, Recorder; James Ford, President Police Jury.

Crops, Weather, Etc.

The scorching drought still continues through this section of country. The corn crop is almost a total failure. Many planters have stripped the corn leaves for fodder, and others who could not get even fodder have turned their stock into the corn fields. Acres of wilted and withered corn may be seen, on which the ears did not even form, or with perhaps one "nubbin" to a hundred hills. Three dollars and upwards per bushel, and hardly any to be had at that, is the price of corn at different trading points through this country, and at some places I am told, it cannot be bought at any price unless it is satisfactorily shown that it is to be used for bread, and not to be fed to stock.

Cotton is being badly injured. Many of the upland planters "won't make cotton to the acre". The very best of weather from now to harvest time will scarce avail to secure a moderate crop. The weather is unprecedentedly hot and dry.

My next letter will be from Homer, forty miles distant, the parish seat of Claiborne, which, with Bienville parish, adjoins Bossier on the east.

Number XX.[24]

THE PARISH OF CLAIBORNE

Homer, and the Way to get there—Its Merchants, Institutions, etc.—Minden and all about It—Personal Mention—The Concert by the College Pupils—Lisbon and other Places—The Parish generally, its Lands and Agriculture—Crops and Weather.

Homer, Claiborne parish,
July 18, 1860

Ed. Crescent: The flourishing village, or rather incorporated town, which rejoices in the classic appellation of Homer, is the seat of the populous parish of Claiborne, which is one of the largest of the upper tier of parishes on the Arkansas border of the State. Homer is located very nearly in the center of the parish, and if one wishes to visit this secluded town he must not calculate on reaching it by public conveyance; but, coming to Minden, in the Southern part of the parish, by stage, there hire vehicle and animal, or animal alone, and so travel the nineteen or twenty miles which lie between the principal two settlements of the parish. I speak indefinitely of the distance between the two points, for it is well-known through the country that on account of the crooked, hilly, and generally eccentric nature of the road, it is nineteen miles from Minden to Homer, and nearly twenty-one from Homer to Minden. Indeed, the mile-boards along the road set forth this somewhat extraordinary fact, as any one who has ever traveled it will attest, and thus vindicate the reliability of this correspondent.

Homer is a very prosperous town of seven or eight hundred inhabitants, and is a comparatively recent settlement. It is one of the most picturesque and pleasant places I have yet seen in Louisiana. The residences are built in good taste and the business houses are numerous, substantial and generally extensive. Two spacious brick stores are now in process of erection, one of which is being built by M. A. McCranie, and within the walls of which will be the ice house which this enterprising citizen intends to establish next season. The landing place of Homer is on the Dauchite bayou, twenty-two miles distant, which is also the landing of Minden, from which it is but two miles distant. This proximity to navigation gives the Minden merchants an advantage over those of Homer, which tells in the grocery trade, as hauling is an expensive item of freight. Therefore the mercantile opera-

[24] *Ibid.*, August 6, 1860.

tions of Homer are principally confined to dry goods, and the Minden dealers do most of the grocery business of the parish. The Dauchite is navigable from three to six months of the year.

The prominent merchants of Homer are R. L. Capers, J. F. Leake & Co., Smith & Nicholson, Brown & Brother, Monk & Ragland, Maxey & Bailey, M. Weil & Co., A. McCranie, G. W. Price, and Cheatham & Munroe. U. J. Scott, Esq., is Mayor of the burgh, and C. E. Carr Postmaster. A handsome new court-house building is being put up, and will greatly ornament the town. The Homer College, Rev. Baxter Clegg, President, and the Masonic Female College, L. F. Wilcox, President, are both flourishing institutions, occupying very fine buildings. An average of a hundred pupils attend the former and eighty the latter. There are two churches—Methodist, Rev. Mr. Armstrong, and Baptist, Rev. W. Cary Crane. Here are published two newspapers, which are of note among the interior journals of the State. "The Claiborne Advocate", Wm. Stran Custis, editor, and the "Homer Iliad", by W. Jasper Blackburn. Homer is within about sixteen miles of the Arkansas line.

Minden is near the lower border of the parish, and is a very pleasant and lively town of about the same population as Homer. Its business is large, and its trade of the steady and reliable description which builds up the substantial prosperity of a market. The mercantile establishments are generally extensive, the larger dealers being Chaffe & Co., Robinson & Lucas, F. D. Wimberly & Co., Webb & Grigsby, Ardis & Co., D. & J. H. Murrell, J. G. McKinney, R. A. Johnson, and Rossman & Co., druggists. R. A. Lancaster, Esq., is Mayor, and also Justice of the Peace, Notary Public and Postmaster, being one of the busy sort of men who can attend to their own business because of not troubling themselves to attend to that of other folks. To Mr. L., and to Mr. Jno. Chaffe, of Chaffe & Co., and others, this correspondent must acknowledge his indebtedness for attentions and courteous services. "The Advertiser", N. J. Sandlin, editor, is published at Minden, the parish thus having an extra supply of three newspapers.

Minden has two churches—Methodist, Rev. S. S. Scott, and Baptist, Rev. N. P. Moore. The Minden Female College is one of the most noted and successful institutions of learning in the State. It was incorporated in 1854, but had been practically in existence for many years previous. It has an average attendance of no less than a hundred and fifty pupils, and is well known throughout

the State for the general wisdom of its management and the thoroughness with which its educational course is inculcated. I had the good fortune to be present at the concert with which the examination exercises of the late session were concluded. The artists were the young ladies of the institution, and their performances would have done credit to professional musicians. Miss Etta Wright, of Rapides parish, Miss Elizabeth Chaffe, of Minden, Miss A. Walker, of Bienville parish, and Miss Balch, particularly distinguished themselves, as also did Miss Legay, by her performance on the harp. The Minden Male Academy is a well-conducted institution, with an attendance of some sixty pupils.

Lisbon is twelve miles east of Homer, and is a thriving post-office settlement, where there is a very large Methodist church, and Messrs. A. Willis, Leslie & Killgore and John Cook do business. Scottsville is twenty miles northeast of Homer, and has a church, open for the occupation of all denominations, and a store kept by B. D. Thompson & Bros. Colquitt is twelve miles northeast of Homer, has a Methodist church and a store kept by Messrs. Moreland & Tigner. Gordon is fifteen miles north of Homer; there is a Methodist church there, and George Gordon and Reed & Cole are the merchants. Haynesville is twelve miles northwest of Homer; has a Methodist church and two stores, kept by J. C. Taylor and Brown & Bro. Wiseville is eighteen miles northwest of Homer, and the only store there is that of Lindsay & Martin. Shongaloo is twenty-five miles northwest of Homer, and J. P. Smith has a store there. Germantown, sixteen miles southwest of Homer and near the road to Minden, was settled by a colony of Germans, who retain all the characteristics of the fatherland and maintain their integrity of race. It is a flourishing settlement, and a store is kept there by John Bopp. The Germantown people are held in much esteem by the people of the parish for their industry, propriety of conduct and the fair and upright dealing which characterizes their business intercourse. At Forest Grove, six miles east of Homer, Messrs. Taylor & McClendon have a store.

The territorial area of Claiborne parish comprises over four hundred and thirty-five thousand acres, of which about thirty-five thousand acres are usually put in cotton and about forty thousand in corn, leaving a vast extent of territory untilled. The lands generally are much inferior to those of the parishes lower down, and are held at correspondingly less prices. They might be averaged, lowlands and uplands together, at about seven dollars per

acre. There are few large estates in the parish, probably not more than half a dozen planters making as high as two hundred and fifty bales of cotton. The small planters are numerous, and the proportion of white population to slaves comparatively large. Many of the people very wisely consider that there is something besides cotton worth raising, and devote much attention to making other crops, rearing stock, etc., and thus are enabled to live luxuriously, while realizing as great a nett gain as if their industry were devoted solely to the production of the great staple of the South. The forest growth of the country is heavy and valuable. The oak, hickory and pitch pine attain a large growth, and numerous saw mills supply lumber abundantly at reasonable prices. The population of Claiborne may be put down at about sixteen thousand in round numbers, somewhat more than a third of whom are slaves. The vote of the parish is about two thousand, and its officers at this time are—John G. Warren, President Police Jury; Sheriff, H. W. Kirkpatrick; Clerk, Ben. R. Coleman; Assessor, Jas. H. Simmons; Recorder, Jno. W. Hays.

WEATHER, CROPS, ETC.

The corn crop of Claiborne parish is not so essentially blighted as in other parishes lower down, from which I have lately written. A third of a crop at least will be made, as well as I can judge from the looks of the fields and the varying information of different parties cross-examined in my laudable thirst for information under difficulties. As to the cotton crop, the hopes of the planters were much raised by glorious rains which have fallen in most parts of the parish during the week past. A furious storm of rain on Sunday last was accompanied by a plentiful fall of hail, many of the stones being of the size of filberts. The chances for a two-thirds, if not better, crop of cotton are fair.

My next letter will be from Sparta, the parish seat of Bienville.

Number XXI[25]

THE PARISH OF BIENVILLE

Sparta and the Spartans—"The Jeffersonian" and its Editor—Mt. Lebanon and its Institutions—Arcadia, Ringgold and Other Places —The Lands and Agriculture of the Parish—Its Forest Growth—

[25] *Ibid.*, August 11, 1860.

The Solid Men—Messrs. John and Thomas Dennard and what happened on their Plantations—Major Harry Crenshaw—Gen. Felix Lewis—Multiply and Replenish—Hot Weather, Crops, etc.

Sparta, Bienville Parish, }
July 22, 1860. }

Ed. Crescent—I am inclined to think that comparatively few of your readers feel much interest in the largely laid out but thinly populated parish of Bienville. The parish is "very much in the woods", and everything is in keeping with that "style". Sparta, the capital city of the parish, is "smartly in the woods" itself, having been unhappily located far from any navigable watercourse. Its merchants haul all their goods from Lake Bisteneau, eighteen miles distant, when boats can get into the lake and to Port Bolivar, the landing place. But this is only semi-occasionally, and at this time they are hauling corn eighty miles, from the Ouachita—which adds considerably to the cost of that very essential grain, making it approach to three dollars per bushel.

Sparta is a serious little place of about two hundred and twenty-five or fifty inhabitants. It is unfortunately located in a regular old-fashioned sand-bed, the base of which could scarcely be reached by an artesian bore, though the pedestrian thinks he is going to the bottom at every step. It would not be surprising if, two or three generations hence, Spartans were born splay-footed—nature thus compensating in their physical conformation the disabilities under which this heroic people labor as a consequence of the character of their abiding place. Thomas E. Paxton, Esq., is the Mayor of Sparta, and there are three stores of respectable caliber, kept by E. N. Warren, L. Eldridge and J. H. Sheen. There are small Methodist and Baptist churches in the town, and a small and, as yet, not very successful school, called the "Sparta Masonic Female Institute", under the direction of Miss Alice Kelly. The court-house building is of wood, and sufficiently capacious and well arranged. The Parish officers at this time are James Upshaw, Sheriff; John F. Stephens, Clerk; Moses Harley, Assessor; John G. Noles, Recorder; Willis Norris, President Police Jury.

At Sparta is published The Jeffersonian, by James R. Head, who purchased it last week and created great excitement by at once converting it into a Douglas organ. This occurred last week, and famous threats are made by the Breckinridge and Lane men that they will have a paper of their own and quite run the new Douglas

organ off the track. The able and amiable character of Mr. Head's salutatory articles reconciled many opponents to a charitable consideration of the honest differences of opinion existing between them. Mt. Lebanon, the next largest settlement in the parish, is a pleasant place about twelve miles northeast of Sparta. There is published the Louisiana Baptist, by W. F. Wells, H. Lee, editor. At Mt. Lebanon stores are kept by Rogers & Gibbs, C. G. Thurman and John W. Key. There is a Baptist church there and two educational institutions of merit—the Mt. Lebanon Baptist College, Rev. Mr. McCraine, principal, which is attended by about a hundred students, and the Mt. Lebanon Female Institute, Rev. J. Q. Prescott, Principal.

Arcadia is twenty miles northeast of Sparta, has Methodist and Baptist churches, and stores kept by Copeland & McGuire, Brown & Underwood, and E. A. Givens. Ringgold is fifteen miles west of Sparta, and there stores are kept by Philip Eldridge, R. C. Whitten and W. J. McKee. There is a Baptist church at Ringgold, which is near Lake Bisteneau. Brush Valley is eighteen miles southeast of Sparta, and there F. C. Gray keeps store. The other post-offices of the parish are—Saline, fourteen miles southeast of Sparta; Salt Springs, twelve miles southwest; Iveson, nineteen miles southwest; Buckhorn, fifteen miles northwest, and Mud Branch, fifteen miles northwest-by-west, at none of which are there stores.

There is every variety of soil in Bienville parish, from very fertile to very barren, but there is none so wonderfully fertile as are the bottom lands of the Red river valley and the Mississippi. The great body of the lands is still untilled, and there are many tracts as desirable as any which are now held in private hands that are still open to entry. There are but few large planters in the parish, the people being mostly small farmers with but few slaves. The whole population does not much exceed nine thousand, of whom something more than a third are slaves. The whole parish is assessed for less that three millions of dollars for State taxation. Its territorial area comprises about two hundred and forty thousand acres, some twenty-five thousand of which are usually put in cotton and some twenty-six thousand in corn. The cotton lands yield an average of rather less than half a bale of cotton to the acre.

The forest growth of the parish is magnificent. The pine, the cheapest, most common and useful among woods, as iron is among

metals, grows to large size; the sassafras becomes a stalwart tree, from eight to twelve inches in diameter, and the beech, white ash, sweet gum, hickory and several varieties of oak, all flourish exceedingly. The face of the country is very broken, and to travel is a continual up and down hill business. In the northern part of the parish are salt licks, which furnish a very saline article of water. These licks were formerly famous places for shooting deer, and many are still killed in the vicinity. The productions of the lower part of the parish are mostly shipped at Campte, on Red river, in Natchitoches parish, and those of the upper part via Lake Bisteneau, which connects with Red river on the western border of the parish.

The more prominent planters of the parish are Dr. Gibbs, Dr. Keith, Gen. Felix Lewis, John L. Vickars, Wm. Colbert, A. J. Colbert, Calvin Leary, Henry Gray, B. W. Pierce, H. Sheehee, K. P. McDaniel, Cullen Rhodes, W. M. Prothro, J. L. Pierce, W. C. Mays, Col. John Dennard, Thomas Dennard, Judge Eagan, J. C. Eagan, Major Harrison, E. P. Harris, John Cockerham, Col. A. P. King, A. S. B. Pryor, James A. Mosely, John Took, Simeon Thiers, R. R. Madden, J. C. M'Cray, J. A. Williamson, George Dawkins, Minor Dawkins, and others.

The correspondent must mention that he experienced planter's hospitality at the hands of two of the gentleman above named—the Messrs. John and Thomas Dennard—whose plantations adjoin each other in the upper part of the parish. It happened that just at the time that "Tourist" visited their ranches they gave a grand barbecue to the slaves of the two plantations, to which the neighboring white folks were bidden; and, among others, he became acquainted with Gen. Felix Lewis, a grand old man of the Jacksonian cut of veteran, though in expression of countenance a very amiable improvement on the austere mug of Old Hickory. Among the other guests of the Messrs. Dennard, and may they live a thousand years, I met the prince of commercial agents, Major Harry Crenshaw, of the grocery-house of G. M. Bayly & Co., New Orleans. The Major "was there" extensively, and no mistake. I never saw a nicer lot of darkies than those of the Messrs. Dennard. The overseer boasted to me that not one of them had received a stroke of the lash during the year past. Among the "interesting events" of the barbecue day, and while the festivities were in full blast, was the addition of "one" to the negro stock of the plantation. "It"

was at once named for and in honor of the Tourist, and will doubtless grow up to be a most valuable "subject", solely in consequence of its auspicious nomination.

The Weather, Crops, Etc.

The weather which this part of the country has been suffering for three or four weeks past, is no improvement on that which is giving the Coroner of New Orleans full employment in inquesting sun-stroke and apoplectic cases. I have seen the mercury up to 112, and 108 and 110 in the shade. The winds are like the blast of a furnace and heat rather than cool. Traveling in such weather, with simoons of dust filling the air, is something absolutely dreadful—without qualification of that strong adjective. No wonder that crops are burnt up, the cotton dwarfed, the corn yellow and wilted as if fire had passed through the fields, the puny stalks bearing no fruitful ears. The very trees of the forest are scorched by the drought and are shedding their blighted leaves in showers, as if autumn had prematurely come upon these parallels of latitude and forced the foliage to don its melancholy livery of sere and yellow leaf.

My next letter, *Deo volente*, will be from Vernon, the seat of Jackson Parish, which adjoins this on the East.

Number XXII.[26]

THE PARISH OF JACKSON

Vernon and Sparta, and the way to get to and from them—Something more about Mt. Lebanon—Vernon—"The Southern Times" and G. Wm. McCranie—All about Vernon—Vienna and all about it—Woodville, Brooklyn and other places—The Parish at large, its Lands and Agriculture—Its Planters—The Crops—The Interior Merchants, etc.

Vernon, Jackson Parish, July 28, 1860.

Ed. Crescent—My last was addressed from Sparta, the parish seat of the adjoining sub-commonwealth of Bienville. That town, as well as the one from which I date, being somewhat out of the world, *i.e.*, off the line of travel, I will mention for the guidance of travelers in North Louisiana, the ways and means of reaching

[26] *Ibid.*, August 14, 1860.

them. If they are traveling either east or west by the Vicksburg and Shreveport stage line, which is the only artery of travel across the State above Red River, they will have to leave the stage at Mt. Lebanon and take a private conveyance to Sparta, 12 miles distant.

Mount Lebanon they will find a delightful little town of some three or four hundred inhabitants, famous for health, water, educational institutions and good people, of South Carolina stock; and if they should fortunately fall in the way of such good friends as the correspondent did in the persons of Messrs. C. G. Thurmond, M. Canfield, Dr. Courtney and Mr. W. F. Wells, they will be likely to prolong their stay indefinitely, as he wished to; and, if spurred by inevitable necessity, leave it with regret, as he did. The Mount Lebanon Baptist College, Rev. Mr. Crane, Principal, and the Female Institute, Rev. J. Q. Prescott, Principal, are exceedingly well managed and flourishing institutions; the town is well built, and everything indicates wealth and refinement among its citizens. The stores of C. G. Thurmond & Co., and all in town, in fact, are large and largely stocked, and the printing office of "The Louisiana Baptist" is one of the finest I have seen in the interior, being the only one that has a power press for printing the paper.

To reach Vernon, the parish seat of Jackson, the traveler must leave the stage at Vienna, and take a private conveyance to that place, sixteen miles distant. Vernon is a pleasant little burgh, of some three or four hundred inhabitants, Joseph R. Ryan, Esq., Mayor. It is located on a knobby, knolly, hilly piece of ground, and is a rather picturesque settlement, with its court-house occupying a hill in the center—a capitoline mount; its churches, Methodist and Baptist; its residences on hill and in dale, with grounds running back to adjoining forests, or broadening into wide and beautiful fields. Here is published the only paper in the parish, The Southern Times, whose youthful but talented and experienced editor, G. Wm. McCranie, is fighting a valiant battle on the Douglas side of the Democratic camp. He *could* marshal an army and lead it brilliantly to victory—if he only had the men; but Douglasites are unmistakably scarce in Jackson parish. Mr. McCranie was recently admitted to the bar by the Supreme Court in session, and will undoubtedly make his mark in that profession.

The first session of the Vernon Female Seminary lately closed, the attendance of pupils having been about forty-five. It is an incorporated institution, established by subscription, and occupies

a good and commodious building. Rev. B. D. Thomas is Principal. There is also a flourishing school for males in the town. Vernon is thirty miles from the Ouachita, the nearest navigable water, whence goods are hauled from Trenton, Pine Bluff and Castor Landings. The merchants of the place are W. C. Ashley, who is postmaster; M. B. Kidd & Bro., Davis & Sholar, Samuel & Cann, Wm. Lewis and Lloyd & Ives, and a considerable business with the surrounding country is done. The citizens have a lyceum and debating society, which they keep in motion, and an agricultural society which bids fair to prosper, has been got under way. The officers of the parish, at present, are M. Johnson, Sheriff; W. B. Warren, Clerk; A. W. Hightower, Assessor; John E. Lloyd, Pres. Police Jury; S. Trask, Recorder.

Vienna, the only other settlement of note in the parish, is sixteen miles northwest of Vernon. It is an incorporated town of a couple of hundred inhabitants, A. B. C. Winfree, Esq., Mayor, and is a rather pleasant place, and its people are good, sober folks, albeit there are one or two more whisky restaurants than seem necessary in the town. A fine large church is being built, and a numerously attended school is everyway creditable to the settlement in its management and prosperity. The merchants are Messrs. Spivey & Coker, Wilder & Poole and H. H. Howard, and they do a good business.

Woodville is nine miles west of Vernon, and is a small settlement with two considerable stores therein—those of W. F. Bond and Redwine & Emory. There is a Baptist church there. At Brooklyn, eighteen miles southeast of Vernon, Messrs. Robinson & Williams keep store and constitute most of "the place". At Douglas, (which was named when its namesake was more popular in the parish than now) W. R. Miller "merchandises". Douglas is fifteen miles north of Vernon. At Indian Village Post-office, ten miles east of Vernon, there is no settlement proper and no store.

Jackson is a large parish as to extent of territory, its area comprising over two hundred and sixty thousand acres, of which something more than fifty thousand are in cultivation; the tilled land being about equally divided between cotton and corn. There is any quantity of land to be had, though nearly all of the most valuable tracts are in private hands. The price of none of the lands, even the most valuable, probably exceeds ten dollars per acre, while inferior, but pretty good, may be had for three. Take the lands of the parish in a body, they may be averaged at six and

a half dollars. The soil is mostly light and loamy with considerable sand intermixed, and some very unpromising-looking lands produce surprisingly, but do not approach, of course, to the marvellous fertility of the river bottoms of the State. The forest growth of oak, pine, hickory, beech, ash, gum, etc., is heavy on ridge and bottom. Like all of Northwest Louisiana, the face of the country is exceedingly broken by small hills, valleys, knolls and gullies, with many low, damp tracts, on which the water stands through the winter. Red sandstone is abundant in many places, but seems to be in disconnected fragments rather than in ledges.

The population of the parish is between nine and ten thousand, of whom rather more than a third are slaves; and it polls about a thousand votes. There are many small planters and comparatively few large engaged in the culture of cotton. The principal planters are I. J. Simms, Lewis Ziegler, M. McKleroy, James E. Battle, W. F. Bond, John G. Murphy, Andrew Gibson, Willis Wood, James A. Kennedy, E. R. Thompson, Lafayette Thompson, George Newton, Jeptha Collins, James Gibson, Thomas Grigsby, Charles Galatt, John Galatt, Wm. Galatt, W. M. Kidd, W. B. McDonald, Abraham Womack, A. & N. Howell, James Williams, Thos. Tomlinson, James Tomlinson, Adam Riser, John May, Robert Rusk, and others, perhaps.

Crops, Weather, Etc.

Corn generally throughout Jackson is better than in many of the parishes of northern and western parts of the State where I have been. Really good crops will be taken off of many fields, and almost everybody will make enough to get along until another and I trust a better harvest. This parish has been blessed with more rain that its neighbors.

If the season is very favorable from this time, a fair average crop of cotton will be made in the parish. I notice many fields on hill lands which are plentifully spotted with open bolls—no good sign for those planters' prospects, for the plant is small and stunted and its maturity premature. The strong and vigorous plant has not yet burst a boll.

The mercantile gentlemen of the drought-stricken regions through which I have passed are wearing very pitiful faces generally, and do not hesitate to say that they will be troubled in meeting their payments despite of every exertion. As they are,

however, always prompt and reliable in good or indifferent seasons, I suppose they may safely rely on receiving every indulgence from the liberal dealing merchants of New Orleans in very bad seasons like the present. I am inclined to think though, that they who deal in that direction cannot as safely hope for equal consideration from the merchants of far-off Northern cities, with whom they have transactions.

Number XXIII.[27]

THE PARISH OF OUACHITA

Monroe a Beautiful Town—Its People and its Characteristics—Charles Delery, Esq.—Political mention—Educational Institutions—"The Register"—The Merchants and Manufactures of Monroe—Trenton—Its Business, etc.—Churches, etc.—The Lands, Fruit, Crops, Planters, etc.—The Weather, Crops, River, etc.

Monroe, Ouachita Parish,
Aug. 1, 1860.

Editor Crescent—The town I write from is as pretty and pleasant a place as I know of in the whole South, and it is as prosperous and flourishing a place withal as can be found in the whole commonwealth of Louisiana. Situated in the garden spot of the Ouachita valley, it is a central point of business, of resort, and of general interest to the surrounding country. Citizens of wealth and cultivation make it their home, and their costly and tasteful residences, embowered amid the affluent vegetation which the rich soil and genial climate of the locality cause to flourish with tropical luxuriance, present the most charming aspect of rural ease subserving refined tastes and abundant means. The town crowns the high and at this point never overflowed banks of the beautiful Ouachita, and by water is held to be about five hundred miles from New Orleans. The town is just now receiving a strongly stimulating "lick ahead" in the proximate completion to it of the Eastern section of the Vicksburg and Shreveport railroad, which will pause here some time before it gets across the Ouachita at this point. The distance from here to Vicksburg is ninety miles, and as the iron is all laid except for twenty-eight miles of the way, it is confidently predicted that the cars will come though to Monroe during the ensuing winter. Monroe will then be within about eighteen hours' travel of New Orleans via the Jackson railroad.

[27] *Ibid.*, August 20, 1860.

Much building is going on, and most of the erections in progress, either for residence or business purposes, are very fine.

Monroe claims about eight hundred inhabitants, and that seems to me to be a minimum calculation. The Court-house grounds constitute a beautiful square, and the building is surrounded with magnificent trees; and, speaking of the "halls of justice", or halls of the law, I might more appropriately say, perhaps I should mention that the legal profession is very strongly represented in Monroe, a number of the most noted lawyers of North Louisiana having here their residence. There are two churches—a Catholic and a "Union" church, open to the use of all denominations. The Protestant Episcopal congregation here are about to erect a church edifice. A land office is located here, and Charles Delery, Esq., is at this time acting Receiver. To this courteous, talented and estimable gentleman the correspondent is greatly indebted for much kindness and attention, as he is also to Mr. Rogers, the present gentlemanly incumbent of the Sheriff's office, to secure which he had to beat the straight-out Democracy at the last election. He did it dashingly. I might as well say right here that the friends of Bell and Everett are determined to carry Ouachita. They have organized a club, and are to have a grand barbecue on the first Saturday in September, at which time they hope to experience the pleasure and profit of hearing an address from Hon. Randell Hunt, of New Orleans.

There are three admirably conducted and very prosperous educational Institutes in Monroe—all occupying commodious and properly adapted buildings. These are "The Ouachita Female Institute", by M'me Delery; "The Ouachita Female Academy" and "The Monroe Male Academy", of both of which latter Col. F. A. Hall is Principal. "The Register", Dr. Samuel Bard editor and proprietor, a paper well known throughout the State, is published at Monroe. It supports Breckinridge and Lane with great enthusiasm. The leading merchants of the town are Messrs. G. & H. King, H. Gerson & Co., S. Weil & Co., Byrne & Shields, and G. W. McFee & Co., druggists.

This number of houses does not indicate the amount of the heavy business done at this locality on the Ouachita, for at Trenton, a little place only two miles above Monroe, on the opposite side of the river, are the large establishments of Messrs. Oliver & Drake, J. P. Crosley, A. F. Flournoy & Co., Terry & Madden, and J. Thatcher. It is thought that the building of the railroad will cause the

transfer of the business of Trenton to a location directly opposite Monroe, where the railroad bridge will cross the river. Then the two towns will amount, in fact, to one place, and a very considerable place, indeed, it will be. There are two hotels in Trenton and two in Monroe. In the latter place carriage manufacturing is carried on extensively, and some of the work done I have never seen surpassed by any. Carriages, buggies and wagons are built outright, and in the most finished and handsome style. At Hamilton postoffice, twenty miles north of Monroe, James Caldwell keeps a store, but there are no stores at Forksville, twelve miles west, nor at Indian Village, twenty miles west, not at Prevost, sixteen miles southwest. The mercantile business of the parish is thus concentrated at Monroe and Trenton. Methodist, Baptist and "Union" churches are plentifully distributed throughout the parish, and the cause of religion seems to thrive. A great camp-meeting was held last week ten miles from Monroe, on the Bastrop road, and the enthusiasm was transferred to the town, where a protracted meeting has been going on day and night for several days. Some of the bar-rooms close when the church-bells ring in the evening, that the bar-keepers may follow their customers to the place of meeting. There are a number of preachers here, and the excitement is very considerable.

There is as fine soil in Ouachita as any in Louisiana, and the forest growth of the bottoms is magnificent. Everything grows vigorously, furiously. Fruit trees flourish exceedingly. I have never seen such peaches, pears and apples, as are raised in and about Monroe in the most profuse abundance. Next summer, when the railroad will be finished, New Orleans will be a market for these delicious commodities. I have been into an orchard which, apparently, would almost supply alone the New Orleans demand for fine peaches. The Ouachita and bayous Bartholomew, De Siard and Boeuf river, secure to the parish a vast extent of the bottom lands of the most fertile description, and such is their valuation that they may be averaged altogether, at about $30 per acre, though many tracts, if they could be bought at all would be sold at twice or three times that price. There are plenty of pretty good uplands which may be had for five or six dollars, or perhaps less.

In territorial extent Ouachita is considerably below the average of the parishes, and but little land is in cultivation. Its territorial area comprises about a hundred and fifty-one thousand acres, of which some twenty thousand are in cotton and some

twelve or thirteen thousand in corn. The small farmers are comparatively few, and most of the cotton is made by large planters, prominent among whom are Judge J. N. T. Richardson, W. J. Q. Baker, Dr. McGuire, Col. Isaiah Garrett, C. W. Phillips, T. L. McGee, Judge R. W. Richardson, David Faulk, the Pargoud estate, the estate of D. G. Fluker, estate of J. W. Mason, Mrs. W. J. Willson, J. T. Mason, the Betin estate, R. Dortch, E. W. Harris, John Liles, J. K. Lacy, D. Y. Grayson, estate of S. W. Downs, Mrs. Carrington, Mrs. N. Bry, H. H. Slaughter, J. H. Stevens, Mrs. J. T. Stirling, Moses H. Butler, Judge L. F. Lamy, W. F. Goodrich, W. H. Youngue, Col. J. M. Crook, H. N. Bry, Col. Burt, Joel Tatum, Jr., Col. J. P. Crosley, R. J. Wilson, H. Faulk, A. Lazar, G. Filhiol. The population of the parish is about eight thousand, of whom about half are slaves. The voters number near eight hundred.

CROPS, WEATHER AND RIVER

The cotton is very promising for the season, and a fair average crop is calculated on. The corn crop is estimated at from a third to a half what it should have been. The weather is exceedingly warm and rain is very much needed. The Ouachita runs unusually low this season and particularly at this time. It is little more than a creek winding through the lowest part of its broad and nearly empty bed. Boats cannot get nearer Monroe than about one hundred and sixty miles.

I propose addressing my next "slice" from Bastrop, in the adjoining parish of Morehouse.

Number XXIV.[28]

PARISH OF MOREHOUSE

About warm Weather, etc., and what another Traveler said—The Flourishing Town of Bastrop—The Morehouse Advocate—The Merchants of the Parish—Water Courses and Bottom Lands—Their Fertility and Valuation—Large Planters—Crops, Weather, etc.

Bastrop, Morehouse Parish,
August 4, 1860.

Ed. Crescent—No doubt you of New Orleans feel very proud of your warm weather, and of the hight to which it drives the mercury; but if you want the conceit taken out of you just come up in these parts in the "yaller days of August", and you'll boast

[28] *Ibid.*, August 23, 1860.

no more of such trifles as 98 and 100°. Bastrop is within eighteen miles of the Arkansas line, but degrees of latitude seem to make no difference in degrees of heat in a natural way, but to increase it as the distance from the equator is increased. After all, New Orleans is about as cool a place as there is in the United States in summer, and about as warm as any in winter. But I am wandering from my subject proper in the discussion of a matter near to my heart, and which I "warm up" on whenever it comes under consideration; and I will dismiss it with the quotation of a remark of a fellow-traveler and sufferer, that "North Louisiana is a little too hot for a purgatory and not quite hot enough for a something else". This isn't elegant, but it's mightily forcible.

Bastrop, the seat of the rich and growing parish of Morehouse, is twenty-eight miles north of Monroe, and is a very pleasant little town, and will compare favorably with a majority of the parish seats of the State. It is situated within a mile and three-quarters of Bayou Bartholomew, a branch of the Ouachita, which is navigable not only to this point, but up into Arkansas for four or five months of the year. By this water course the merchants of Bastrop receive their goods and the majority of the planters ship their produce, those in the eastern part of the parish shipping by Boeuf river. A flourishing business is done at Bastrop, and the town wears a lively aspect at all times. Its population is about four hundred and fifty, and its principal merchants are Messrs. Bobo & Evans, Silbernagle & Co., M. Levy & Co., C. A. Williams, Friedham Brothers and E. B. Pettes. There are Methodist and Baptist churches there, and a spacious hotel, well kept by Uncle F. D. Armstrong, the jolliest of hosts. The "Morehouse Advocate", the only paper in the parish, is published at Bastrop by W. Prother, Esq., who is doing most valiant battle in the cause of Bell and Everett, whose advocates are very strong in Morehouse. Indeed, I find they are strong everywhere, but whether strong enough, time will show. Bro. Prother was off on a hunting expedition while I was in town. That's the way these country editors do—and not only that, but they go fishing too, and enjoy themselves in other ways, as if they had a right to and did not belong to the same miserably laborious fraternity whose lot is cast with city dailies, and is severe but brief.

There is a green and handsome courthouse square at Bastrop and a handsome brick building in it, and the business portion of the town clusters around the central quadrangle in a style of

arrangement and architecture very pleasant to look on. The Mayor of the town is R. A. Phelps, Esq., and the present officers of the parish are A. J. Bobo, Sheriff; James Bussey, Clerk; J. F. Naff, Recorder; W. L. McMurtey, Assessor. There is no other settlement of any note in the parish, but at "Ione", thirty miles north of Bastrop, Eason & Brooks have a store; N. S. Greenwood has one at "Plantersville", twelve miles north of Bastrop; the Messrs. Wright have one at Oakridge, twenty miles southeast; Eason & Brooks have one at Lake Lafourche, twenty-five miles southeast; and B. Silbernagle & Co. have one at Prairie Mer Rouge, seven miles east of Bastrop.

Morehouse is distant from the Mississippi only the width of Carroll parish, and is famous for the fertile quality of its bottom lands and their quantity, which is ensured by the spacious extent of the valleys of Bayou Bartholomew, Bayou Bonidée, Bayou de Galleon, Boeuf river, Lake Lafourche, Gum Swamp, Prairie Mer Rouge and Prairie Jefferson. Only a moiety of these lands are under cultivation, but every inch of them is in the hands of those who thoroughly understand their value and are willing to wait to get it, as they know they will. These bottom lands may be averaged at about thirty dollars per acre. The uplands, which are generally good, may be averaged at five dollars. Rather more than forty thousand acres are being cultivated in corn and cotton.

Most of the planters are large, all of those whose names I give making heavy crops—some very heavy: Harrison & Duval, Warren Alford, Thomas Andrews, W. J. Averett, Charles R. Balfour, W. R. Barrow, Jr., W. F. Brown, Matthew Bowman, Mrs. Eliza Barton, Mrs. S. D. Brigham, Mrs. E. O. Bronschelle, John L. Bunting, Thomas O. Benton, J. F. Cason, S. W. Carney, D. S. Collier, Dr. Clark, W. W. Chapman, Lewis Cammack, James C. Cooper, J. G. Caldwell, D. B. Douglas, Davenport estate, J. F. Davenport, W. H. Davis, Stephen C. Davis, N. Tigner, C. T. Dunn, A. E. Evans, C. W. Eason, Sr., R. P. Edwards, Fluker estate, John D. Girtman, G. W. Goodwin, C. A. Hatch, James Hart, S. Smith Heard, R. F. Houston, A. W. Jones, H. & W. F. Jourdan, J. J. Jordan, A. A. H. & J. S. Knox, A. A. H. & R. J. Knox, Abraham Kelly, W. R. Lastor, Sr., J. R. Liddell, A. Livingston, S. J. Larkin, J. Lewis May, C. L. Magee, F. E. Mayo, P. S. Miller, G. W. McDaffie, James Monette, J. D. Moore, Sr., W. G. Myers, Levi Parks, James Pettit, S. M. Puckett, A. S. Pipes, C. B. Polk, H. D. & G. W. Brigham, Benj. Burnham, H. M. Polk, R. M. Ryan, Otterson

& Potts, estate John Rains, George Waddill, L. P. Spyker, Lewis & Elijah Scott, Jackson Smith, J. C. F. Taylor, W. G. Tate, B. Turpin, T. J. Turpin, Fred Tucker, P. A. B. Williams, Robert Waltman, A. K. Watt, J. H. & J. E. Warnock, John Webb, W. H. Wallington, R. W. Ward, John Woodman, R. H. Winters.

The population of the parish is between nine and ten thousand, and the number of its voters about nine hundred. Three-fifths of the population are slaves, and the assessed value of property is about five and a half million of dollars.

CROPS, WEATHER, ETC.

Rain would be welcome, but nevertheless cotton looks fine, and a good crop is confidently predicted, and will doubtless be made. Enough corn to supply its wants will be made in this parish.

Number XXV.[29]

THE PARISH OF CALDWELL

To Columbia and all about it—Its People, Business, Characteristics, etc.—R. D. Bridger, Esq.—Montgomery Point and other Trading Places—The Lands, the Emigration to the Parish, and Demand for them—The Heavy Planters—Annexation Scheme—The Crops.

Columbia, Caldwell Parish,
August 11, 1860.

Ed. Crescent—My last was from Bastrop, the parish seat of Morehouse, but that parish does not adjoin Caldwell, Ouachita intervening between them. To get from Bastrop to Columbia I had to take the road back to Monroe again, in Ouachita, and thence thirty-five miles to Columbia. Columbia is perched on the lofty banks of the Ouachita, and is reckoned to be four hundred and fifty miles from New Orleans by water. During the low water season the river is not navigable above the Catahoula shoals, near Harrisonburg, in Catahoula parish, and Columbia is then attainable by a daily stage line from Harrisonburg below, or by the same means from Monroe above. Columbia is beautifully situated, and is a lively and thriving little place for its size, which is small. But Columbia is large for its size—large in the matters of the public spirit, the enterprise and general good fellowship and social worth of its citizens. Its facilities of communication bring it near to

[29] *Ibid.*, August 27, 1860.

all the world, and, not being shut up in their own shell, its people fairly escape having their ideas, views and aspirations contracted to the narrowest sphere of envious and yet boastful littleness which makes veritable "Little Pedlingtons" of so many small interior towns everywhere. And what may be said of the citizens of Columbia will also apply to the people of the parish at large. It is bisected by the stream of the winding Ouachita, which runs through it from its northern to its southern limits, and the broad estates which occupy its fertile bottom are the abodes of wealth, elegance and refinement.

Columbia is reduced in size by the fact that a large number of the citizens who pertain to the locality reside three miles from the landing in a well situated and pleasant "neighborhood settlement" called Augusta. Columbia is their post-office town. At Augusta there is a commodious academy building, erected long since, being the seat of an endowed institution, which is not now in operation, as the title to it is in dispute, being claimed by both the parish and the State. The principal merchants of Columbia are Messrs. Varner & Bridger, H. Y. Brigham, Boyd & Blanks and Levi & Haas, and they all do a large business. There are a church and a Masonic Hall in town. The Courthouse is of brick and is fast getting too small for the uses of the parish, and the jail is a patent concern of iron, and is plenty large to hold all the rascals which the respectable parish of Caldwell can produce, or catch on behalf of other parishes. The officers of the parish at this time are, J. D. Blanks, Sheriff; J. J. Stringer, Clerk; Jno. C. Hill, Recorder; W. E. Cottingham, Assessor; T. J. Humble, Surveyor.

I find plenty of friends, or friends of the Crescent, wherever I go, but none more kindly and attentive than several of the citizens of Columbia, among them R. D. Bridger, Esq., lawyer and merchant, and late Representative of the parish in the Legislature —a talented and prospering young gentleman. Seven miles south of Columbia is the settlement of Copenhagen, where William Longmire keeps store, and at Mt. Pleasant, ten miles west, Thomas Merideth has a store. At Montgomery Point, ten miles northwest, the names of the merchants are, Jacob Webb, Thomas Glass and Webb & Gourillion; at Pine Bluff, twenty-five miles north, Moses Winenburg and John E. Rial have stores.

Caldwell is a small parish, one of the smallest in the State, its whole area being under eighty thousand acres. But very little

of the land is inferior, and most of it of great fertility. It has much bottom land of unsurpassed fertility—river and creek bottoms, bordering on the Ouachita, Boeuf river, Castor and Black bayous, bayou Ricou, bayou Lafourche, bayou Marengo and bayou Croix. About all of the valuable lands are in private hands and are held at their value, and the demand for them has been very great for a year or so past, and is constantly becoming more urgent. The emigration into the parish for a couple of seasons, particularly the last, has been unusually large, and is continuing in an augmenting ratio, and it is thought that at the next election the voting population will have increased at least a hundred and fifty votes, as compared with the previous, when it was upwards of five hundred. Caldwell parish has been passed over too much by planting people prospecting for a location. Because they could not get Ouachita river bottom, they have gone on further west, and even to Texas, neglecting the abundant tracts of creek and bayou bottom lands which are very fertile and not much inferior to those of the river. Extraordinary crops are made on many of these small bottoms, and the demand for them is very lively.

The surface of the country is rolling and the forest growth vigorous on the uplands as well as in the bottoms. The uplands are generally much more fertile than lands so situated usually are in the State, so far as my observation and information have enabled me to judge. The amount of land in cultivation in corn and cotton is some sixteen or seventeen thousand acres, having over sixty thousand still untilled, and most of it of good quality. The heavy planters of the parish are: Messrs. J. C. Bridger, Sr., J. B. Fluitt, Sr., George G. Williams, James Ray, Charles Bress, Major R. King, Thomas B. Rutland, Alfred Farrand, H. M. Hyams, Mrs. Gilbert and Dr. Richardson, Simmons and Tatum, Jacob Humble, William Dixon, Wm. Hogan, Daniel Wade, J. L. Sizemore, R. A. Blanks, A. W. Faulkner and Richard Cuny. The whole of the population of the parish is about five thousand. A movement is in progress which has for its object the annexation to Caldwell of a slice off the upper part of Catahoula, the residents on which, I am told, being generally in favor thereof and ready to petition the Legislature to the end. This will give Caldwell a considerable augmentation of territory and population. The Catahoula seceders complain of being inconveniently remote from their present parish seat, which is Harrisonburg, and is about forty miles from them.

THE CROPS

Caldwell will make about enough corn to supply its own wants though the drouth was hard on it. Cotton looks well, and while some confidently predict a good average crop, others express the opinion that it will fall short about one-fourth of a full crop. Picking has commenced generally throughout the parish.

Number XXVI.[30]

THE PARISH OF CATAHOULA

Harrisonburg—Its aspects and antiquities—Judge Taliaferro and things geological and aboriginal—Sicily Island and the last battle field of the Natchez tribe—The Merchants of Harrisonburg—Trinity, Bertrand's Prairie, Castor Springs and other Post-Offices—The lands—The Planters—The Harrisonburg Independent—The crops and rivers.

Harrisonburg, Catahoula Parish,
August 16, 1860.

Ed. Crescent—Harrisonburg is another of the pleasant little towns which, like pearls strung upon the Ouachita, adorn at frequent intervals the fertile banks of that fine river. Harrisonburg is about three hundred and twenty-five miles from New Orleans by water, and is the capital seat of the extensive, wealthy and flourishing parish of Catahoula. It is located twenty miles by water above the mouth of the Ouachita—or above the point where Black river, which runs into the Red, ends in two forks, one of which is called the Tensas and the other the Ouachita. The name of Black river should be expunged from the maps, and the stream, from its confluence with the Red, be called the Ouachita, as it really is. As it is, two, and, therefore, one unnecessary, names are given to the main stream—the Ouachita.

Harrisonburg is a handsomely built and thriving town of some three or four hundred inhabitants, and is beautifully situated on a high bluff bank, but at the foot of a still loftier hill, which towers behind it into a small mountain of white sandstone, coated with sufficient soil to support a lusty growth of forest trees. The place looks rather too new and white-paintified to look as picturesque as if it had a little of the savor of antiquity about it. But it has its antiquities, and very antiquated, too, in the way of large

[30] *Ibid.*, August 27, 1860.

Indian mounds and other earthworks, which abound in the vicinity; and, indeed, one of these interesting mounds stood right in the town, and, being partially leveled, is now the site of one of the parish buildings. Abundant remains of pottery and human bones were unearthed when the vandal shovels and hoes of modern progress ruthlessly invaded this aboriginal abode of the dead, and all of the mounds which have been excavated have yielded like returns of relics of the dead and of the works of the living hands of their people.

To the courtesy of Judge Taliaferro, a learned gentleman who has the tastes and has pursued the studies of an antiquarian savant, I hold myself much indebted for the privilege of inspecting his collection of curious remains of Indian ingenuity and for varied information as to the geological characteristics of the parish. Indeed, Catahoula is the most interesting field for geological research in the State. Its formations are marked and varied, and and fossil remains abound. Judge Carrigan, of Baton Rouge, should bring his lore to bear in this parish. His geological knowledge and experience in antiquarian research would yield valuable results. Many petrified bones of colossal antediluvian animals have been found. Sections of the vertebral process, nine inches in diameter, of the *Zyglodon* (a pet alligator of the antediluvians about a hundred feet long) have been unearthed, or found in the river's bed, traces of volcanic action in the way of lava are frequent, beautifully colored coarse agate and flint stones are scattered everywhere in the uplands, and a thousand hills are composed of ledges of white sandstone, an easily worked and admirable building material, which is found quite soft in its native bed, but hardens after exposure to the air. The jail of the parish, at Harrisonburg, is built of this stone, which makes a handsomer building than granite. It might be quarried and brought to New Orleans to advantage. It can be taken out right up on the banks of the river in any quantity. On the banks of "Funny-Lower" creek, (Plenty of Squirrels creek) in the southwestern part of the parish, are great ledges of aluminum of a very fine quality, which look like snow banks in the distance, and iron ore is plentiful in some parts. Within a mile below Harrisonburg are a series of Indian mounds, some of them of great extent; and at Trinity, where Black river bifurcates into the Ouachita and Tensas, there is a mound of vast extent. Opposite Harrisonburg and that section of country, for miles up and down the river, is Sicily Island, on which the Natchez

tribe of Indians are said to have made their last stand and fought their last great battle against the white invaders. On that field the French almost exterminated this valiant nation of red men and they were never afterwards organized into a distinctive tribe. In this final struggle these semi-civilized Indians, it is asserted, met their enemies with equal weapons, using cannon and the other devices of enlightened warfare. The French came into Red river and up the Black into the Ouachita in batteaux, and attacked the Natchez in their fortified camp, the site of which is now indicated by sundry remains and by abundant remnants of shot, shell and weapons, leaden bullets, arrowheads, etc. The distinction which Sicily Island claims in these modern days—"piping times of peace"—is peaceful and praiseworthy, to-wit: that of being one of the most productive cotton regions in the State.

But I must leave things ancient and come down to prosy modern facts, or I shall exceed my allotted space. As to Harrisonburg, it is a very prosperous commercial point, and so is Trinity, twelve miles below by land and twenty by water. All of the merchants of Harrisonburg are Israelites, and all have very spacious stores and do a heavy business. The firms are Meyer & Levystein, Fleishman & Cohn, Shlenker & Brother and Marks & Newman. The mercantile interests of the place would well support twice or thrice as many stores, but the concerns there now are wealthy enough to crush out almost any competition by underselling. There is a Methodist church and a male and female academy—a local school merely—in the place, a couple of hotels, a couple of bar and billiard rooms, and a barber shop, which institution is conducted peculiarly; it is not run regularly, the operating tonsor farming in a small way out of town and coming in to hold semi-weekly levees. It is a great day in Harrisonburg when the barber shop is in session, and the convocation of stubble-bearded sovereigns, each anxious for his "next", is interesting to the idle spectator and remunerative to the capillary reaper. R. H. Cuny, Esq., is the Mayor of Harrisonburg, and E. Fletcher, Postmaster.

Trinity is a go-ahead place, where much merchandise is sold. The merchants are Phillips & Williams, Guss & Dale, Felix Robb, and A. & J. Shlenker. A very handsome brick church has just been erected by the Protestants. The other Post-Offices of the parish are Ford's Creek, ten miles west of Harrisonburg; Aimwell, twenty miles west; Funny Lower, thirty miles west, where Wm.

Williams keeps store; Bertrand's Prairie, forty miles west, on Little river, where Dr. E. K. Davis has a store; Sicily Island, fifteen miles north-east; Finley, twenty-five miles north-west; and Castor Springs, thirty-five miles north-west of Harrisonburg, These Springs are, comparatively, a recently opened place of resort for invalids, extensive and comfortable improvements having been made during a season or two past. For a score of years, however, the neighborhood people have been in the habit of getting their dyspepsias, rheumatisms and liver complaints cured by imbibing the unusually strong red and white sulphur waters which boil up copiously from the earth. From what I have learned it seems certain that the waters are an unfailing dead-shot for the first two named disorders, and are frequently efficacious in the last. Many almost miraculous cures have been effected by them. This summer a crowd of visitors are in attendance at this Louisiana watering place, which supplies healing waters, conveniently furnished right in our own State, that would render unnecessary in many cases an expensive tour to the far off Sulphur Springs of Virginia. Three or four miles from the Castor Springs is a remarkable well called "The Sour Well", the waters of which are said to have a strongly marked and peculiar acid flavor, and to be a specific in dyspepsia. Thirty-five miles south of the Castor Springs are the "Buffalo White Sulphur Springs."

The territorial area of Catahoula is put down at over 170,000 acres, of which near forty thousand are in cultivation. Its many water courses give it abundance of rich bottom lands, which may be averaged at about $30 per acre. The chief of these water courses are Ouachita, Little, Tensas, Black and Boeuf rivers, and Bayous Louis and Macon. The tract called "Sicily Island" is insulated by the surrounding waters of Tensas, Ouachita and Boeuf rivers. The following are the principal planters of the parish, the least of whom makes over two hundred bales: Charles Jones, Maj. Liddell, Jos. P. Johnston, P. B. & D. P. January, estate John King, Jno. H. Lovelace, Nuttall & Ditto, J. W. Metcalf, Dr. H. J. Peck, R. H. Norris, Noah Reddick, J. W. Stone, Daniel Smith, estate Wm. Blount, Alexander Boyd, T. M. Briethaup, Wm. Beard, S. S. Bowman, Bouthier & Young, D. S. Bisland, E. B. Cotton, estate E. L. Chapman, A. K. Farrar, estate Thos. Gilbert, T. Gilbert, M. Gillis, Mrs. Garrett, C. A. Hooper, estate A. W. H. Dunbar, H. D. Mandeville, Jr., Col. Wm. M. Tew, E. L. Waills, R. G. Wootan, J. B. Wiggington and Mrs. E. Oliver. The whole popula-

tion of the parish is about 11,000, of whom rather more than half are slaves, and the vote is between 900 and 1000. The only newspaper in the parish is "The Independent", a sound and ably conducted journal of large circulation, published at Harrisonburg, James G. Taliaferro editor and proprietor, and J. Q. A. Taliaferro publisher.

CROPS, ETC.

Catahoula has made nearly enough corn to meet its demands of home consumption—probably enough, considering the extra economy which scarcity of the grain will induce. It is calculated that the aggregate cotton yield of the parish will be from a fourth to a third short of what it would have been had the season been more auspicious. The rivers, Ouachita, Tensas and Black, are all extraordinarily low. The Black, which is the parent stem of all these, is closed by a shoal near its confluence with Red River.

Number XXVII.[31]

THE PARISH OF CONCORDIA

The Lands and Landed Interests of the Parish of Concordia—Lake Concordia and its surroundings—John Fletcher, the author—Zebulon York, Esq.—Mr. Sawyer, another Concordia author—Vidalia, "The Concordia Intelligencer" and John McDowell, Esq.—The larger planters of the Parish—The Crops, etc.

Vidalia, Concordia Parish,
August 18, 1860.

Editor Crescent: The Parish of Concordia is long and narrow and a great monopolist of Mississippi bottom lands, as it extends from the mouth of Red river for about a hundred miles up the coast of the great river. Therefore it is particularly fertile and reliably productive, the only cause which is able to produce a failure of the crop being an irruption of the river waters through the strong levees which the people are wise enough to keep in constant and defiant repair. The Black river and the Tensas constitute its western boundary and it thus has on either side accessible bottom lands—which, indeed, may be said to extend entirely across the parish, all the soil being bottom alluvial, and of the richest description. Many of the planters who own and cultivate these lands are among the largest agriculturists in the State, and exercise

[31] *Ibid.*, September 8, 1861.

the authority of ownership over estates as broad as some German principalities, and yielding far greater revenues. But very few of these lords of the soil reside on their estates, but have their residences across the river, on the higher but scarcely more pleasant lands of Mississippi—in Natchez or elsewhere. The actual white population is mostly a population of employés, not of owners—a population of overseers.

An idea of the wealth, of the productive capacity, and of the social characteristics of the parish, may be formed from the fact that of a population of nearly thirteen thousand, over eleven thousand are negroes, the whites numbering but about fourteen hundred, young, old and middle-aged. People certainly have a right to live wherever they please—especially if they are able; still it is to be regretted that so many of the planters of Louisiana do not choose to expend their money where they make it, and aid nature in the beautifying of their plantations, and the social progress of their parishes and State by permanent residence.

There is, literally, no other interest in Concordia but the agricultural. There is no town in the parish, and but three or four stores—one kept at Monterey, on Black river, twenty-five miles south-west of Vidalia, by J. A. Scott; another by Isaac Crouch, ten miles below Monterey on the same river; another by J. F. Powell, at Union Point, on the Mississippi, forty miles below Vidalia. But the plantations are magnificent in extent, stretching away in broad expanse, level as water, and at this time a wavy sea of lusty green cotton plants, variegated with the pinky and snowy whiteness of the blossoms and bursting bolls; while long ranks of negroes are working across them, gathering in the fleecy harvest of the season. Cotton picking has commenced generally in the parish.

Lake Concordia is a beautiful sheet of water, stretching across the country in a broad crescent of thirteen miles in length and holding in its embrace a picturesque island, on which are several fine plantations. All around the lands of wide estates run down to the flowery and grassy banks; boats dot its surface, and among them floats a fairy steamer, a pleasure craft kept by Mr. Davis to facilitate his visiting the four or five plantations along the lake which he owns and plants. On the shore of Lake Concordia dwelt, studied and planted cotton, the eccentric and learned John Fletcher, and here he wrote his famous "Studies on Slavery", one of the

most ponderous monuments of erudition, scholarly research and author-work in the whole range of literature. It is standard authority in questions connected with the slightly discussed subject of slavery. Mr. Fletcher has sold his plantation and gone wandering. Zebulon York, Esq., is its present owner, and, also, with his planting partner, the owner of five other plantations—Messrs. York and Hoover owning four in partnership, and each of the partners owning one separately. The productive capacity of their six plantations is five or six thousand bales, and this year they will make about four thousand—a snug little crop.

This is the way Concordia planters who wish to enlarge their operations have to do: being unable to buy land adjoining their original tract, they must take it in separate lots, where they can get it. Mr. York is a young and very able lawyer of the parish, and has his office at Vidalia. The correspondent is greatly indebted to him for hospitable attentions, and for much information relative to the parish. And while speaking of Mr. Fletcher as a Concordia author, I should mention Mr. Sawyer, the law partner of Mr. York, who lately published a lengthy, elaborate and very valuable work on slavery—very able and more suited to the general run of readers, perhaps than that of Mr. Fletcher.

Vidalia, the parish seat of Concordia, is directly opposite Natchez. It is not an incorporated town, and the dwellers are few, but their dwellings are handsome and give the place a very comfortable and pleasant appearance. The Court-house is a fine erection and the jail the best building of the kind in the State. It seems too nice for the occupancy of rascals, and probably they think it is too; but it is as rogue-proof as brick and iron can make it. A commodious hotel is well kept by Mr. Peebles.

Here is published the "Concordia Intelligencer", by John McDowell, Esq., one of the cleverest and most popular gentlemen. The Intelligencer, as everybody knows who knows anything about the interior press of the State, ranks very high both as to workmanship and editorial ability. It has a large circulation and an extensive advertising patronage both in Mississippi and Louisiana, being published right on the line, as it were.

I have referred above to the accessible and valuable character of the lands of Concordia, it having the Mississippi, Tensas and Black rivers upon its borders, and I should mention that both ends

of Lake Concordia approach very near to the Mississippi, which undoubtedly once flowed through the crescent-formed bed which now holds the currentless waters of the lake. The lower end of Lake Concordia is in the rear of Vidalia, to the west.

To enumerate the large planters of Concordia would be to mention about all of them, and I give, therefore, only those who are very large. Numbers of these have several plantations, as in the case of York & Hoover: John Minor, L. R. Marshall, McMurran & Vardaman, Robt. D. Percy, J. S. Preston, Purvis & Campbell, R. W. Phillips, Dr. W. B. Page, Zebulon York, E. J. Hoover, York & Hoover, Jas. M. Preston, G. G. Russell, Rivers & Shields, George Ralston, G. W. Sargent, Wm. Sanderson, J. W. Sessions, F. Surget, James Surget, E. Surget, J. B. Shields, Staunton & Winston, estate D. F. Stacy, E. Sparrow, Horace Gaither, Thomas Staunton, Mrs. H. P. Staunton, estate Fred. Staunton, G. F. Saunderson, Walker & Collins, D. P. Williams, Samuel Wood, S. L. Winston, J. W. Winston, M. Wilson, A. T. Welch, A. Yzuaga, L. R. Marshall, Charles Cosgrove, Henry Chotard, Wm. Connor, Mrs. Covington, L. P. Connor, F. B. Connor, A. N. Dunbar, G. M. Davis, A. V. Davis, Robt. Carter, S. M. Davis, Mrs. H. Elliot, F. D. McDonald, George W. Green, W. C. Gillespie, B. F. Glasscock, estate J. F. Gillespie, D. M. Hayden, John Holmes, David Hunt, B. F. Hunter, A. C. Henderson, John Johnson, Mrs. Jane Kemp, Isaac Lum, S. H. Lambdin, D. F. Miller, P. P. Miller, Mrs. M. A. Metcalf, A. P. Merrill.

From the paucity of its voting population Concordia does not have a political weight proportioned to its wealth and consequence, and politics do not rage there as in those where the sovereigns are more abundant. Politics there have rather a Breckinridge complexion at this time. The present officers of the parish are John Janney, sheriff; W. R. Purvis, clerk; G. W. Williams, recorder. It is my earnest desire that the above Mr. Purvis may live a thousand years. He deserves it, I am convinced.

THE CROPS

Concordia will make somewhat less corn that usual, but it is never attempted in that region to make as much as it needs. The land is (entirely?) too valuable for the growth of anything (but cotton?) and the grain market of the west is (tributary?) via the

Mississippi. The cotton (crop this year will?) be much under a full one, but (. . . illegible . . .).[32]

Number XXVIII.[33]

PARISH OF CARROLL, ETC.

Carroll Parish as compared with Tensas, Madison and Concordia—The progress of Carroll—Floyd and Monticello—Lake Providence—"The Lake Providence Herald" and T. B. R. Hatch, Esq.—The Lands of the Parish—The Large Planters—The Crops—

Lake Providence, Carroll Parish,
August 22, 1860.

Ed. Crescent—Carroll parish, constituting the extreme north-eastern corner of the State, ranks second on the list of cotton producing parishes, though its claim to the second place is stoutly contested by old Concordia. The lands of Carroll are for the most part new as compared with those of Concordia, and are of extraordinary fertility. The only parish which exceeds it in the matter of cotton production is Tensas. Concordia is next below Carroll in amount, and Madison is a good fourth, making nearly as much as Concordia. Of Tensas and Madison I do not propose to treat at length. They lie between Concordia and Carroll, on the Mississippi coast, have the same characteristics of soil and production, and like them their population consists of a handful of white inhabitants to an immense proportion of negroes. Tensas has about thirteen hundred whites to about fourteen thousand slaves, and Madison about the same number of whites to about ten thousand slaves. They are both exceedingly wealthy, and together produce about one-fourth of the whole cotton crop of the State, while the four, viz: Carroll, Tensas, Madison and Concordia, make nearly a half of the whole crop of the State. The lands are very valuable, and almost all the planters very large operators.

Carroll is a parish of large territorial extent, and is making rapid progress in wealth and increasing considerably in population. This progress is noticeable particularly in the western part of the parish, where the opening of the Vicksburg and Shreveport Railroad has given an impetus of improvement and settlement to the comparatively inaccessible section west of Bayou Macon,

[32] The edge of the paper is torn away at the end of this letter, and missing parts have been supplied by the editor from the context, when possible.

[33] From *Daily Crescent*, September 10, 1860.

the navigation of which is very unreliable. This railroad has now its temporary terminus at Delphi, in the southwestern part of the parish, and is making quite a place of that little namesake of the capital of Oude. The lands opened to clearance by this road are of a fertile description. The population in this part of the parish—that is, west of Bayou Macon—has always been considerable, and, indeed, a majority of the voters of the parish, who are about nine hundred in all, are there resident. But they are not generally of that capitalist class which can most thoroughly develop the agricultural resources of the country; and these small properties will soon be bought up by large owners, in the progress of that inevitable system of the concentration of wealth which is now going on throughout the country, and which promises to root out of all the most productive regions of the South the great body of the class of small agriculturists—a consummation not to be desired, however, though it will tend to the advancement of the wealth of the nation at large.

Floyd is the parish seat, and though a flourishing and growing town, is not the chief center of commercial interests. Lake Providence, the great shipping point of the parish, has that preëminence. Floyd is about twenty miles inland from the Mississippi, and is located about the center of the parish. Among the merchants there may be mentioned John Martin, P. M. Colinsky, Holstein & Holden, and H. D. Briggs. "The Weekly Louisianian" is published at Floyd, and conducted with ability and success by Wm. J. Duncan, its editor. Monticello is situated on Bayou Macon, a few miles from Floyd, and is the chief shipping point for planters in that region when the precarious waters of the bayou permit navigation. Gaddis & Richards, Robt. McKain and D. S. Travis have stores at Monticello.

Lake Providence, the principal town of the parish, is located on the bank of the Mississippi, and is held to be seventy-five miles above Vicksburg by water and therefore about four hundred and seventy-five miles from New Orleans. Lake Providence is a place of commercial note among the river towns, and a heavy business is done there. It has a fine wharf-boat and an unusually good hotel—"The Sparrow House". Its stores are extensive and heavily stocked, and in all wares can be constantly replenished, being on the great thoroughfare of commerce which is always open. The principal dealers are Hays & Guest, Simon Lewis, A. Feiber, S. P. Bernard, Drew & Tompkins, R. C. Simms and H. Stein. That old,

widely esteemed and admirably managed paper, "The Lake Providence Herald", is published here, T. B. R. Hatch, Esq., editor, and one of the most experienced and talented in the State. It is a journal of deserved and wide circulation, but very "democratic" in its political tone.

Carroll parish is so well supplied with water courses and lakes within and on its borders as to ensure it abundant quantities of bottom lands—in fact, it is almost all alluvial, and its uplands (so called) are unusually productive. The most valuable lands are along the Mississippi, on Bayou Macon, Joe's Bayou, Lake Providence, Old River Lake and Swan Lake. The list of its large planters is very long, and of small planters very short; but these may be included among the larger: Col. J. M. Berry, Dr. Blackman, Dr. Sam. Bard, Wm. Sutton, Nathan Trotter, George G. Willson, Wm. Deeson, A. Keene Richards, Col. T. Stone, Rev. A. Hagaman, Abraham Bass, Jas. A. Bass, Dr. H. B. Tibbatts, Oliver J. Morgan, Dr. J. G. Carson, Henry Goodrich, Mrs. Savage, Wallace Keene, James Gallaway, estate of Benjamin, Maj. Bailey, G. A. Newman—all of whom have plantations on the Mississippi.

On Lake Providence: Messrs. Geo. G. Willson, Gen. Ed. Sparrow, J. S. Chambliss, G. Hood, M. D. Sellers, Dr. H. B. Blackburn, Fred. Sanderson, estate Dr. Balfour, Maj. Walworth, R. T. Ford and M. Ross.

On Old River Lake, or Bunch's Bend: J. B. Williams, Gen. R. W. Williams, Aaron Goza, Dr. Goffe, Wm. Stowers, Gabriel Stowers, Maj. Kerr, Mrs. A. Anderson, Mrs. Helen Key, Maj. Spence, Sharpley Owen, Wm. Cloman and Robert Stewart.

In the interior of the parish generally—on Bayou Macon, Swan Lake and Joe's Bayou—Col. T. W. Watts, Dr. A. M. Waddill, Dr. A. Bagley, Dr. J. A. Trousdale, J. C. Gaillard, Samuel L. Chambliss, Geo. J. Hook, W. R. C. Lyons, Col. Troutman, De France & Hardeman, Philip Guice, John H. Martin, Col. W. L. Allen, J. B. Tompkins, Rucker & Alexander, Ira L. Manning, Mrs. F. S. Cable, F. M. Hays, Dr. Dorris, Dr. J. Chamblis, Berry & Troutman, J. D. Catlin, John S. Deeson, J. Witkowski, C. B. Richardson, Col. Samuel Templeton, Col. H. Short, Geo. C. Wilson, John D. Imboden, Jacob Shuwalker, H. J. Drew, Michael Morgan, Taylor & Drew, Horace Prentiss and Gen. J. G. Wyley. The population of Carroll is between fourteen and fifteen thousand, the whites numbering only about three thousand.

THE CROPS

The yield of corn will be rather short, but not near so scanty as in most of the northern parts of the State. As to cotton, some predict that the crop will be a third short, and others again that it will not fall off in so great a proportion. It is certain, however, that it will be much under what was calculated on, when the season opened under such favorable auspices as it did.

TOURIST.

RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA
LXXVII.

October-December, 1752.

(Continued from July, 1938, Quarterly)

By HELOISE H. CRUZAT
Marginal Notes by Henry P. Dart
(Revised by Walter Prichard)

By the Editor of the Quarterly

List of Officials of Louisiana participating in the work of the Superior Council of Louisiana contained in this installment:

De Vaudreuil, Pierre Rigaud Cavagnol, Governor

Michel de la Rouvilliere, Honore, Commissioner General of the Marine, Intendant, and First Councillor

D'Auberville, Vincent Guillaume le Seneschal, Commissioner of the Marine and Second Councillor

Fleuriau, Francois, Procureur General (died in November)

Raguet, Jean Baptiste, Dean of the Councillors, acting Procureur General (due to illness of Fleuriau), and Provisional Procureur General (after death of Fleuriau)

Le Bretton, Louis Cesaire, Councillor Assessor

De la Lande d'Apremont, Charles, Councillor Assessor

Kernion, Jean Francois Huchet de, Councillor Assessor, and acting Procureur General (due to illness of Fleuriau)

Lafreniere, Nicolas Chauvin de, Councillor Assessor

Membrède, Chevalier de, Town Major of New Orleans

Lenormand, Marin, Sheriff

Chantalou, Augustin, Attorney of Vacant Estates, Clerk of the Superior Council and Notary

Garic, Jean Baptiste, Attorney and Notary

Pontalba, Jean Joseph Delfau de, Commandant at Pointe Coupée

Darensbourg, Commandant at Les Allemands

Hélo, Attorney and Notary

Deverges, Engineer of the King

October 1, 1752.

2 pp.

Letter, Chantalou (probably) to Testar.

Letter addressed to M. Testar, at La Rochelle, sent by the King's boat "Rhinoceros", commanded by Captain Lebarge. He acknowledged receipt of goods sent on the 18th of March, May 13, and June 16; also those with invoice and bill of sale annexed, all in good condition; also received the two mirrors without any damage. Inclosed the sum of 3000 livres, in two letters of exchange on the General Treasurers, which he prays him to credit to our association, (probably between Testar of La Rochelle and Chantalou of New Orleans), reduction previously made for advance to Sr. Songy, his brother-in-law, for which he thanks him. The abundance of ships in the harbor has reduced the price of dry goods for the moment, but it will not last. Refers him to memorial sent, and the articles he sent, which will have a ready sale except the camel's hair, etc. Silk stockings for women sell readily, but there are no blue, red, nor green. Received by Sr. Girardeau the two wigs sent, which are well made, the mixture of grey and white is fine, but they are a whole inch too short. Asks for bill of their association to this date . . . . Mr. Barbin, bearer of this present, will no doubt surprise you by his speedy return. He thinks he can do better than remain with us. He is a very honest man whom I esteem a great deal. Remembrances to his wife and family. Asks him to remit to his address for his wife, pompons and small flowers for fine hair of all shades, and charge to account of their association. His brother, Pelisson, sends him a letter of exchange for 125 livres for his debt. (Not signed).

Document badly stained, but legible.

¾ p.

List of merchandise.

(Inclosed in preceding letter): A list of merchandise, including among other items, a (whale) boned corset, tippets of white blonde, a mantle trimmed with lace, a headdress of blonde, different pairs of shoes described, and six pairs for a girl seven years old. No signature, nor heading.

October 1.

2 pp.

Statement of merchandise sent for account of partnership between Testar and Chantalou.

Statement of merchandise sent for account of the society between Testar and Chantalou, including bolts of grass linen, and other kinds; 2000 bolts of lace; 20 beaver hats, 20 partly beaver, Musketeer hooks and eyes; (Illegible), 50 idem with a gold thread and festoon, 50 of silver, black and white feather tips; different kinds of trade guns, some with large bore; silk stockings, black, white and grey; embroidered cuffs for men, for women, and handkerchiefs; woodcutters' knives; bolts with springs for doors and windows; shingles, nails for flooring, for laths; gold handled swords, swords with hilts of gilt silver; sword belts; brass candlesticks and snuffers; cuffs

and tippets of blonde trimmed with pompons; a whaleboned corset, as per measure; a lined winter mantlet trimmed with black lace; shoes, different styles.

Document has been water soaked.

(No date). Slip. **Bill.**

Account of M. Laquiolais, from December 14, 1747, to November, 1751. Up to date it amounts to 11,140 livres, 26 sols, 6 deniers, on which a payment has been made of 88 livres worth of old iron. Balance still due.

October 3. 2¼ pp. **Dubreuil vs. de Caüe.**

Petition by Sr. Dubreuil, Captain of Militia, stating that in the accounts to be settled with Sr. Decau (de Caüe) they had agreed on arbitrators, who were Sr. Broutin, Engineer of the King, and Sr. Guedon, who have forgotten various receipts of Sr. Decau (Caüe). It seems that Sr. Decau (Caüe) owes Sr. Dubreuil a sum of 4538 livres, 8 sols, without including a note of 1800 livres, which Sr. Decau (Caüe) drew on petitioner, wherefore he prays that Sr. Decaux (Caüe) be cited to appear before Council at its next session, to hear that the acceptation of his mandate in favor of Srs. Pictet and Caminada is null and void, as de Cau (Caüe) is indebted to the petitioner, and will be condemned to pay the sum claimed, unless the Court prefers to refer the settlement of debts to the arbitrators, on whom the parties will agree. Signed: "Garic, charged with procuration".

Permit to cite.

(No date).—Permitted to cite before the Council as session of October 30, 1752. Signed: Dauberville.

Notice served.

October 30, 1752.—Notice of citation served on Sr. de Caüe, on petition of Sr. Dubreuil, at his domicile in New Orleans, to appear before the Council at the session of November 11th, at eight o'clock A.M., by Sheriff Lenormand.

October 3. 2 pp. **Petition for payment of debt.**

Petition by Jean Baptiste Garic, as bearer of a note in favor of Sr. Petit, for 5000 livres, by deceased M. de Noyan, Knight of the Royal and Military Order of St. Louis, which sum was deposited by said Petit November 5, 1745, and on the said sum there is still a balance of 3000 livres due, which he has often claimed from M. de Chavoye, tutor of Sr. de Noyan's minor heirs. He prays that Sr. de Chavoye, Captain of troops, be cited to be condemned the 3000 livres, which he had deposited with M. de Noyan. Signed: Garic.

Permit to cite.

October 3, 1752.—Permit to cite, signed: Raguet.

Notice served.

October 3, 1752.—Notice of citation served on Mr. the Chevalier de Chavoy, Marine Captain, as tutor of de Noyan minors, to appear next Saturday, October 7th, at 8 A.M., in the Council Chamber, by Sheriff Lenormand.

October 4.

3½ pp.

Sale of a plantation.

On this day appeared before the Notary Royal, personally, Mr. Jean Joseph Delfau de Pontalba, Captain of infantry, Commandant of the Post of Pointe Coupée, and Dame Marguerite Broutin, his wife, also present, whom he authorizes for the purpose of this present, by which they have sold, ceded and transferred to Pierre Francois Roussillon, residing in New Orleans, a plantation on which there is a house and other buildings, said land divided by a large canal, situated on the same side as New Orleans, ascending the Mississippi or St. Louis River, containing 12 arpents front by ordinary depth, on one side adjoining the land of M. Livaudais, Captain of the Port, and on the other that of the widow and heirs of Sr. Robert Avart, the widow having married secondly M. Delaunay, who is now residing on the said land.

This land sold belongs to Sr. and Dame de Pontalba, who acquired it from Sr. Dauphin and his wife, Marie Anne Meunier, before M. Henry, notary, November 9, 1750. Said plantation and its dependencies have been turned over to Sr. Roussillon to take possession of when it may please him, Sr. and Dame Pontalba promising to guarantee him from all debts, mortgages, settlement, and other claims, jointly and solidarily, renouncing all benefits to the contrary, division and discussion; said sale made for the sum of 28,000 livres, which Sr. and Dame Roussillon promise and obligate themselves to pay in five years, beginning from this day, with interest at the end of each year; payable, at latest four months, after the five years, the said 28,000 livres, with the interest, in current money, at Bordeaux, Sr. and Dame Pontalba reserving to themselves priority of mortgage on the plantation sold.

It is also agreed that said Sr. and Dame Pontalba cannot enter into possession of the 28,000 livres until their debt to the succession of deceased Dame de Malbec and Messire Petit de Livilliers is entirely liquidated.

For full execution of the present, the parties obligate reciprocally all their movables and immovables now in their possession, and those that may come hereafter, electing, for this reason, their domicile, in the office of said notary.

This act of sale passed in the presence of Joseph Pelisson and Marin Lenormand, witnesses required. Signed: Pontalba; Roussillon; J. Pelisson; Lenormand; Broutin; de Pontalba; and we, Notary undersigned, Chantalou (paraph).

October 4.

Certification.

Certification by Darensbourg, on requisition of Ambroise Heydle (Haydel) and Gaspar Toubse (Toups), who resided at Bustard Creek (anse aux Outardes) until the incursions of the Choctaws. Other changes of this abandoned land. This affair will cause reclamations of land conceded to others, because they could not sell their land and abandoned it against their will. Signed: Darensbourg.

October 6.

2½ pp.

Final decision in case of Claude Chenier, acting for his wife, vs. Widow Brunet.

Between Claude Chenier, as husband of Marie Louise Brunet, minor daughter of deceased Francois Brunet, demanding that Jeanne Hubert, Brunet's widow and second wife, render account of his succession: The account produced and notified to the plaintiff on the 27th of last June; Debates by plaintiff against account rendered, July 13th; Defense on date of 17th of said month; Replies to said defense on September 25th of the present year, with all the vouchers and proceedings concerning said account. (Opinion of Raguet, acting Procureur General): His opinion, with due respect to that of the Gentlemen of the Council, is that the first chapter of said account, which amounts only to the sum of 853 livres, 12 sols, will be augmented for the increase by the sum of 212 livres, and consequently the said receipt will be 1065 livres, 12 sols. Joined to debts of the defendant widow, in the chapter, since the death of her husband, forms that of 1824 livres, 12 sols. The other articles of receipt, which are a lot and a negro, are to be allotted following (illegible) of the hearer. The two sums carried in the first two chapters of expense, which together amount to 324 livres, will be allowed her. Her mourning will be reduced to the sum of 50 livres. At the time of division, the Widow will raise 300 livres on the community, by her preciput, carried in the marriage contract. Likewise, the sum of 300 livres will be given her for her dowry, on furnishing bond for the revenue thereon, during her life, by the hearer.

In the fifth chapter, the expenses of the Widow, amounting to 1008 livres, 19 sols, for debts she paid different persons, will be reduced to 534 livres, the surplus rejected as imaginary. In the sixth chapter, 300 livres paid to the wife of the hearer at her marriage is allowed. The costs of the account reduced to 60 livres.

That the lot and the slave, claimed by the deceased during the Community with the Widow, shall be judicially sold to the

highest bidder and divided. The hearer and the Widow alone remaining from the community, on condition that the Widow will take the preciput, which appears to be due to her (illegible), and there will also be turned over to St. Jean, child of the first marriage, the sum of 375 livres, for his share on the lot the said Brunet sold by order of the Council, and the surplus, after the division between the Widow and the hearer; all other pretentions and demands are rejected. Signed: Raguet.

The Widow and the others will remain in possession of the immovables belonging to them before the marriage of deceased Brunet and the accountant. Approved by the Council. Signed: Michel.

Document charred and perforated; in parts text is entirely destroyed.

October 7.
1¾ pp.
Petition for seizure.

Petition to the Superior Council by Widow Piquery, baker, claiming 966 livres, and as notwithstanding decree in her favor, she cannot obtain payment, she prays for permit to seize his movables to concurrence of 966 livres, 10 sols, interest and costs. Signed: Veuve Piquery.

Petition granted.

October 7, 1752.—Seizure allowed by the Council. Signed: Michel.

October 7.
1½ pp.
Madam Baudreau vs. her husband, for separation of community.

Petition to Superior Council by Marie Catherine Vinconneau (Vincennes), for separation of community with her husband, Jean Baptiste Baudreau called Graveline. Third repetition.

October 7.
3 pp.
Madam Baudreau vs. her husband.

Excerpt from Registers of the sessions of the Council: Between Marie Catherine Vinconneau (Vincennes), plaintiff, for separation of goods from Jean Baptiste Baudreau, her husband: The Council has rendered judgment in default against Baudreau, and orders him to be cited anew. Signed: By the Council; Chantalou (paraph), Greff.

(Note:—This document has already been indexed.)

Notice served on Baudreau.

October 10, 1752. Notice served on Sr. Baudreau at his domicile in New Orleans, by Sheriff Lenormand.

3½ pp.
Document filed in connection with above suit.

August 5, 1752. Excerpt of the Registers of the Council, of suit in separation of community between Marie Catherine Vinconneau (Vincennes) and Jean Baptiste Baudreau, her husband: Seen by the Council the petition of Baudreau's wife, showing his wastefulness,

and the daily bad business of Sr. Baudreau, exposing them all to ruin. She has sold her last negro, and notwithstanding a considerable quantity of merchandise he brought from here for the price of the said negro, he contracted in New Orleans and Mobile over 1000 livres of debts, so that the petitioner sees only one way to protect herself and family; that is, to have recourse to the Council to grant her a separation of goods, to protect all the rights of her marrage contract; wherefore, she asks for separation of property, to protect the rights she acquired by her marriage contract, the acquisitions made by her care and work, and the succor given her by her mother during the civil death of her husband, to preserve the gifts made to her children by her mother and Sr. Laville, following papers annexed, offering to prove what she advances and to produce witnesses, namely: Srs. Lemelle, La Croix, Couture and Flamand, who will testify to her husband's bad conduct, and that the petitioner always had patience as long as she could hope for a change. She prays to be allowed to have the witnesses named cited to testify to the best of their knowledge before one of the Councilmen appointed, and that on the conclusions of the Procureur of the King she be allowed to have cited the aforesaid witnesses to testify to the best of their knowledge, so that on his report separation of community be ordered, that in consequence she be allowed to withdraw thirteen horned beasts brought by her marriage contract; for security of her settlement, her house and lots in the City will be hypothecated to her, and Sr. Baudreau will be forbidden to take any of the cattle given to his children by her mother and Sr. Laville, she being permitted to withdraw the slaves, Marie, her family, and Valentin, acquired by her labor. Order by Council that inquiry be made before the Procureur of the King and report made thereon, on his conclusions to be ordered what shall appertain. Signed: By the Council; Chantalou (paraph), Greff.

Witnesses cited before Council.

August 14, 1752. Notice of citation served, on petition of Catherine Vinconneau (Vincennes), wife of Jean Baudreau, on Sr. Lemelle Bellegarde, Daniel Hubert La Croix, Duffaut La Couture, and Sr. Flamand, to appear next Wednesday, sixteenth of the present month, before M. Raguet, in his hotel, to testify for Catherine Vinconneau (Vincennes), wife of Jean B. Baudreau, notifying that their salaries will be paid, and that in default of appearance they will be thereto compelled by bodily arrest. Copy of the present left with them. Signed: Lenormand.

Order for inquiry.

September 2, 1752. Excerpt from Registers of the Council, in case of Marie Catherine Vinconneau (Vincennes) vs. Jean Baptiste Baudreau: Summary of all the documents served, and order for inquiry into complaint of Baudreau's wife.

Notice of citation.

September 5, 1752. Notice served on Jean Baptiste Baudreau, of decree and petition of Marie Catherine Baudreau, his wife, to appear in the Council Chamber on the first Saturday of October at 8 o'clock A.M. Signed: Lenormand.

Judgment in default against Baudreau.

October 7, 1752. Judgment in default against Jean Baptiste Baudreau for non-appearance, and order that he be cited again.

October 7.

5 pp.

Session of the Superior Council.

Session of the Superior Council, where were present: MM. Michel, Commissioner General of the Marine, Ordonnateur and First Judge; Dauberville, Commissioner of the Marine and Second Councillor; Raguet, Dean of the Council; Le Bretton, Delalande, Kernion and de Lafreniere, Councillors Assessors. Judgments rendered in the following cases:

Madam Baudreau vs. her husband, for separation of goods.

1. Marie Catherine Vinconneau (Vincennes), plaintiff for separation of goods from Jean Baptiste Baudreau, her husband, defendant: Seen the decree of the 5th of last August, complaint of plaintiff, inquiry into facts denounced before M. Raguet, in the presence of the Procureur General of the King; his conclusions thereon on August 16th; report of the whole to be ordered what shall appertain; order of Council that defendant be notified of complaint and inquiry. The Council has rendered judgment in default against defendant for non-appearance and ordered him to be cited again at the next session.

No. 1324.

Francoise Le Doux vs. Etienne Layssard, as tutor.

2. Francois Le Doux, as husband of Francoise Fazende, daughter of Jacques Fazende and of Helene de Moriere, both deceased, plaintiff, for rendering account, with the other co-heirs of said succession, emancipated by letters of benefit of age, vs. Sr. Etienne Layssard, their brother-in-law and tutor, defendant: Case heard, and Sr. Kernion, acting as Procureur General, it has ordered Sr. Layssard to render account of his administration in two months from this date, before M. Raguet. Costs pending.

Fuselier de la Claire vs. Colmart.

3. Sr. Fuselier de la Claire, plaintiff, vs. Sr. Colmart, defendant: Case heard and delay granted until the end of December, with consent of both parties. Costs pending.

Garic vs. de Chavoy, acting for the de Noyan heirs.

4. Sr. Garic, plaintiff, vs. M. de Chavoy, acting for de Noyan heirs, defendant: The Council having heard the case, and the conclusions of the Procureur General of the

King, has ordered Sr. Chavoy to pay to plaintiff 1000 livres in December, 1752, and December, 1753, and a like sum in 1754, and condemned him to bear costs. Signed: Michel.

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October 7.

Widow Piquery, petitioner.

Excerpt from the Registers of the Superior Council. Widow Piquery, petitioner, vs. Sr. Tixerant, for recovery of 966 livres, 10 sols, which he will not pay, wherefore she prays to be allowed to seize and then have sold judicially until amount he owes is reached. The Council has allowed said Widow to put into execution the decree against said Tixerant, by seizure of his movables and sale of same. Signed: By the Council.

October 8.

Petition of Jacques Malvesin, for recovery.

Petition to M. Michel de la Rouvilliere, General Commissioner of the Marine, Ordonnateur and First Judge of the Council, by Jacques Malvesin, outfitter of the ship "Elizabeth" from Martinique, stating that having had her calked last year, under supervision of his brother, he took aboard a mulatto, owned by Sr. Lesassier of New Orleans, whom he notified of a theft committed on the ship, before witnesses, and as Sr. Lesassier will not pay without being compelled thereto, he prays that he be cited. Signed: Jacques Malvesin.

Permit to cite.

October 8, 1752. Permit to cite, signed: Michel.

Notice served.

October 10, 1752. Notice of citation served on Sr. Lesassier, at his domicile, on petition of Sr. Malvesin, by Sheriff Lenormand, who left him notice, with copy of petition and order. Signed: Lenormand.

Notice of citation.

October 9, 1752. On Request of M. Jacques Malvezin, outfitter of the "Elizabeth" of Martinique, now in the harbor of New Orleans, Marin Lenormand, Sheriff, served notice of citation on M. Lesassier at his domicile, in his house, speaking to his wife, to appear before the Superior Council on the 9th of October, at nine o'clock A.M. Copy of the petition and of this notice, which was certified, left with him. Signed: Lenormand.

Sentence on Lesassier's negro by Ordonnateur Michel.

October 9, 1752. M. Michel having heard the parties, and the said mulatto having appeared before him, and the brother of Sr. Malvesin has declared that he is a thief who stole a bolt of linen, with a negro belonging to the Jesuit fathers, has sent the said negro back to America under the orders of Sr. Cada, Captain of the "Elizabeth", who will remain charged with him until he is delivered at Martinique. Signed: Michel.

October 9.

No. 1323. 1¾ pp.

Powers given to Garic to represent relatives of minor.

Homologation of opinion of relatives and friends of M. Chauvin de la Freniere, called Lesueur, as they will not be able to be present on account of the work on their plantations. They have delegated their power to Jean Baptiste Garic, advocate in Parliament, to deliberate on the sale Sr. Chauvin de La Freniere, emancipated by letters of benefit of age, wishes to make of four arpents of land, to consent in our name to sale of said land, as it is a burden to him, without bringing any returns, and that the sale will be to his advantage by allowing him to employ the return thereof in an increase of slaves, and they ratify in advance whatever Sr. Garic, empowered, may decide. Signed: Demoüy: Le Bretton; delalande; Volant; Payen de Chavoy.

Original is under date of September 6, 1752.

Homologation, signed by Michel.

October 7, 1752. The Council, on request of Sr. Garic, has homologated the opinion of relatives and friends, to be executed in its form and tenor. Signed: Michel.

Petition for said sale is in index for September, 1752.

October 9.

3 pp.

Widow Bodeson vs. Charles Lemoine, a carpenter for enforcement of contract.

Petition to Superior Council by Widow Bodeson, resident of New Orleans, stating that in August last year, Charles Lemoine, a carpenter, had agreed with her for work and repairs on her house, viz: a gallery eight feet long, the stairway to ascend thereto, a shingle roof, and new joists instead of the old and decayed ones, and making the chimneys over, the whole to be completed and in perfect condition at All Saints of the said year, without the petitioner being obligated to furnish anything whatsoever, for the sum of 400 livres to said Lemoine, for full and complete payment. The petitioner paid said sum to Lemoine, as per his acknowledgment. A few months ago she complained to M. Dauberville of the inexecution of the contract, and he ordered Lemoine to complete the work begun, otherwise the petitioner would be allowed to have the work done by any other at his expense. The agreement and receipt hereto annexed, the petitioner prays that Lemoine be cited at the next session of the Council, to be condemned to repair the house as per agreement, and moreover to pay 200 livres for damages, and to bear costs. Signed: Lenormand, for petitioner.

Permit to cite.

October 9, 1752. Permit to cite at next session. Signed: D'Auberville.

Notice served.

October 10, 1752. Notice of citation served on Sr. Lemoine at his domicile, by Sheriff Lenormand.

½ p.

Agreement.

August 1, 1752. Agreement between Widow Bodeson and Charles Lemoine. Signed: Le Moine; Couturier, witness.

Slip.

Acknowledgment.

August 1, 1752. Acknowledgment of having received from Widow Bodeson the sum of 400 livres, for complete repair of her house, in the presence of Sr. Couturier. Signed: Le Moine.

(Editor's note: These last two documents are pinned to the above. The context indicates that the case is out of order here, and that it properly belongs to the year 1753.—W.P.)

October 21.

1 p.

Bill and statement.

Bill for freight to MM. Roussillons, for 600 boards shipped on board of the ship "Elizabeth" of La Martinique, under Captain Cadix, ship outfitted by Jacques Malvesin, consigned to Roudes; loaded at New Orleans before the City: 600 boards (at 70 bds per ton) equals 8½ tons, at 130 ls. per ton ..... 1105 ls.
A note of ..... 100 "
Commission for Roudes 10%
Interest for 16 mos, at 10% ..... 13: 6: 8.
At 50% of exchange ..... 56:13: 4.
"Caisse Bougiee". Signed: Jacques Malvesin (paraph).

October 27.

2¼ pp.

Petition to compel the rendering of account of a succession.

Petition to Superior Council by Antoine Sarrazin, Francois Sarrazin, soldier, Interpreter at the Post of Arkansas, acting for him and his brother. He states that after the death of their father, Francois Sarrazin, he left Anne Rolland, his wife, with the above-named petitioners. She married a second and a third time, with Sr. Roquancourt, without ever rendering account of the succession of their father, Francois Sarrazin. There were movables and immovables belonging to the said succession, following the inventory, when she contracted other marriages, wherefore he prays that Sr. Roquancourt be cited, at the domicile of the Procureur General, to appear before Council at its next session, to be condemned to render account of the succession of deceased Francois Sarrazin, before the Councillor it may please the Council to appoint for that purpose. Signed: Sarrazin.

Permit to cite.

October 28, 1752. Permit to cite, signed: D'Auberville.

Notice served.

October 29, 1752. Notice of citation served on Sr. Roquancourt, resident at Pointe Coupée, husband of Anne Rolland, on petition of Antoine

Sarrazin and his brother, Francois Sazzazin, Cadet in the troops, interpreter at the Arkansas, notifying said Roquancourt that in default of appearing he will be prosecuted by all possible means, leaving him copy of this notice and petition. Signed: Lenormand.

Upper margin of document eaten away, and right margin curled and ragged.

October 28.

3¾ pp.

Petition for settlement of succession of Ignace Trepagnier.

Petition to Superior Council by Sr. Alexandre*, correspondent of the Academy of Sciences, as husband of Marianne Trepanier (Trepagnier), from which marriage there were two children; and by Sr. Dubuisson, Guardian of the King's warehouse at Bayou St. Jean, who married Ursule Trepanier; stating that Sr. Ignace Trepanier died three or four months ago without issue. The petitioners, having married the sisters of the said deceased, with Mesdames Makarty (Macarty), Carriere, Francois Trepanier, and Madam Vaubery, are all his collateral heirs. They pray that Sr. Francois Trepanier, in charge of the effects of the succession, be cited to render account of movables, immovables, slaves, etc., which are to be divided between the six co-heirs. Signed: Garic, charged with procuration of Sr. Alexandre; Dubuisson.

*(Translator's note:—Sr. Alexandre Viel was the famous botanist mentioned in the archives.—H.H.C.)

Permit to cite.

October 30, 1752. Permit to cite, signed: D'Auberville.

Notices served.

October 30, 1752. Notice served on Sr. Francois Trepanier (Trepagnier), residing at Cannes Brullé (Bruslées), to appear before Council on Saturday, November 11th. Notices also served on Sr. Dubuisson and Sr. Alexandre, at the domicile of Sr. Garic; on Sr. Carriere (le raide). Copy of petition left with this notice. Signed: Lenormand.

Alexandre and Dubuisson vs. Francois Trepagnier.

November 11, 1752. Between Sr. Alexandre, husband of Marie Anne Trepagnier, and Sr. Dubuisson, as husband of Ursule Trepagnier, plaintiffs, vs. Sr. Francois Trepagnier, their brother-in-law, defendant: Seen by the Superior Council the petition presented by the plaintiffs, the order and act of October 28th and 30th, stating that Sr. Ignace Trepagnier died about four months ago, leaving collateral heirs to his goods; said heirs pray that Sr. Francois Trepagnier be cited to render account of said succession. The Council has rendered judgment in default against said Francois Trepagnier, defendant, and orders that he be cited again. Costs pending. Signed: By the Council; Chantalou (paraph), Greff.

Second notice served on Francois Trepagnier.

November 17, 1752. **Notice** of citation served on Sr. Francois Trepagnier, residing at Les Allemands, at his domicile at New Orleans, elected in the house of Sr. Carriere, his brother-in-law, to appear before the Council on the first Saturday of December, at eight o'clock A.M., to answer the petition of Sieurs Alexandre and Dubuisson, copy of this notice and of petition left, which were certified. Signed: Lenormand.

October 28.

Letter, Testar to Chantalou.

Letter addressed to M. Chantalou, Attorney of Vacant Estates, from Bordeaux, announcing merchandise to be sent by "L'Intriguant" and by ship of M. de Verigue by M. Testar. He is able to increase funds of their association and to work with more vigor. To equalize funds advanced, he expects him to send as much merchandise.

Document water stained.

October 30.

Petition of recovery.

Petition to the Superior Council by Jacques Cantrelle, testamentary executor of deceased Cariton, for citation of Sr. Garic, to compel him to pay 190 livres due, interest and costs. Signed: Cantrelle.

Notification.

October 30, 1752. Held as notified. Signed: Garic.

Document badly charred.

November 6.

4 pp.

Girardy vs. Lorains called Tarascon.

Petition to Superior Council by Joseph Girardy, settler at Bayou St. John, plaintiff, vs. Charles Tarascon (Lorains called Tarascon), husband of Marie Louise Girardy, Widow Langlois, defendant: He states that in 1734 a donation of eight arpents of land by ordinary depth on Bayou St. John was made to his daughter, Marie Louise Girardy. It is to be noted that this land was not cleared but all in standing wood, and it was the petitioner who put the axe to the wood and made all the clearings, inclosures and buildings on it, as they remain at this day. This donation should not subsist in favor of Marie Louise Girardy: first, by default of registering; secondly, because if the petitioner had not cleared this land since eighteen years, as proved by the annexed voucher, it would without doubt have been conceded to whomever asked for it and put it in cultivation, wherefore the petitioner would have the right to claim ownership of it as the first occupant. The donation was made simply to favor Marie Louise, since the sale was made to Turpin by Bourbonnais, ceded later to Sr. Graveline, and the titles put in his possession, as declares Turpin. Moreover this donation was made in consideration of 100 crowns of France, paid by the

petitioner, at the rate of six livres a crown, to the said Turpin, which he can prove by different persons, and shows that it was less a donation to his daughter than a real sale which was made in favor of the petitioner. If conditions had remained as they were in the beginning, there would have been no difficulty with his neighbors, to whom he allowed the right of commons (Commune), as they had always lived together. His daughter became a widow and married Charles Tarascon; he permitted them to live on the said land, and ceded to them the buildings as lodging, and helped them with his plough, carts and other things needed to make a field, and other commodities; that Charles Tarascon, forgetful of the services received, in consequence of the pretended donation, acted as the master, not permitting any cattle of the petitioner on this land, and forbidding his slaves to set foot on it, threatening to break their arms if he met them on it, though their cabins are there, constructed since it is established. Considering the reasons aforementioned, these proceedings appear extraordinary to the petitioner, who prays the Council to permit him to have Tarascon cited, to be ordered that said land remain in common as heretofore, with the petitioner and with his neighbors, since the first clearing until the death of said Girardy; that in consequence the slaves be at liberty to enjoy possession of their cabins without any trouble, and that the cattle, as in the past, be in full liberty in the parks, unless the defendant prefers to pay for the clearing of 120 arpents, as shown by the certificate of Engineer Saucier, and for 30 arpents of fencing to close the fields (deserts), as well as for the buildings on it. Signed: Hélo, acting for Joseph Girardy.

Permit to cite.

November 6, 1752. Permit to cite at the next session, signed: D'Auberville.

Notice served.

November 6, 1752. Notice of citation served on Charles Lorains called Tarascon, resident at Bayou St. John, in the house of Sr. Gautreau, speaking to Madam Gautreau, ordering him to appear next Saturday, eleventh instant, at eight o'clock in the morning, in the Council Chamber, on petition of Joseph Girardy. Copy left of the donation, certificate, petition, order, and of the present notice, which was certified. Signed: Lenormand.

Defense of Charles Lorains called Tarascon.

November 27, 1752. Defense presented to the Superior Council by Charles Tarascon, resident at Bayou St. John: He has the honor to represent very respectfully that Sr. Louis Turpin made a donation to Louise Girardy, now his wife, of two lots situated at Bayou St. John. One of these lots had been acquired from John Brunet called Bourbonois, to whom it had been consigned by a note under private seal, on August 21, 1731. The other was likewise conceded and sold to said B. on August 21,

of the same year, by Jean Olivier, the titles of which are in possession of Sr. Graveline, Sr., who is obliged to remit them to the said Louise Girardy. The said sales were ratified by Maitre Place, Notary in Illinois, and Jerome Roussillet, Notary at Fort Chartres, examined and signed by deceased M. Dartaguette, and at this day Sr. Joseph Girardy, his father-in-law, by a petition presented to your tribunal, asks that the petitioner desist from his pretensions on lots that he has possessed in full ownership, without any difficulty, according to vouchers which he offers to produce before you or any person it may please you to name. The petitioner shows that when Girardy affirms that he made the clearings, he does not claim that this land was an ancient desert (field) of the Indians, which he had not labor to put in value; that if he felled down the wood on it, it was for his own profit, since he entirely ruined the said land since eighteen years that he occupies it, having taken from it all the timber, preserving what was on his land, so that it would at this time be impossible to find kindling wood nor even enough to reestablish the inclosures which said Girardy claims to have made, which was only to keep the cattle in and for his own use, which should satisfy him by the enjoyment he had of it, when the petitioner had the right to claim damages. Girardy adds that he always built on this land, which is not so, having begun to build a few cabins, and the wife of the petitioner established a family of negroes over ten years ago, which cabin still exists; moreover he would still be blamable to work and build on land that does not belong to him. Another false reasoning of said Girardy is that this donation should not exist, in default of being registered; that this pretended donation was made but to favor the wife of the petitioner, which is very certain, since a donation is made to a person but to oblige her. He also says that the sale made to M. Turpin by Sr. Bourbonois had been ceded to Sr. Graveline, and that the titles had been remitted to him, as per declaration of Sr. Turpin, which cannot be, as Sr. Graveline would have long since taken possession. He advances that this donation took place only on the payment of 100 crowns paid by Sr. Girardy to Sr. Turpin, which should be confirmed; Sr. Girardy would infallably have taken a receipt from Sr. Turpin, while he was living; he should have provided himself with one if it were a fact, without producing at this day persons who do not exist; moreover Sr. Turpin was never able to deceive five persons.

The petitioner has the honor to inform the Court that his father-in-law says that he does not want to live in good intelligence with his neighbors and to leave the commons subsist on his land. It is true that this year they made considerable damage and he has not been able to reap a bean. He forbade their cattle on his land, and intends to fence in his land, which seems natural since the petitioner allows their cattle to roam on the

land that is not sowed. He also says that he has threatened the slaves to break their arms if he finds them on his land, which has no sense, the slaves being innocent of the dissentions of their masters. This considered, Gentlemen, may it please you to appoint some one officially to examine the facts mentioned in this present and the vouchers hereto annexed, and that the said Girardy and any other be forbidden to molest the petitioner in the possession of his land and his work, under the penalties carried in the ordinance, with costs, and you will do justice. Signed: C. Tarascon.

(Note: See judgment of this case, December 2, 1752, ordering contestants to live in peace, and allowing Girardy to take his negro cabins off the land; costs compensated.)

November 10.

2 pp.

Contract.

Contract between Jacques Malvesin and Clement Roudes, who have entered into a partnership for the cargo of the ship "Elizabeth", at the prorata of the investment of each, it being understood that Sr. Roudes will not pay freight, following the clauses signed by Malvesin, adding another clause in our interest for the return of the cargo of said ship, allowing for the return cargo the prorata of the funds it will produce in Martinique; and as the ship is owned by Sr. Malvesin, the costs and expense of said ship will be for his account, as agreed in the act of partnership passed before Notary at Martinique, and this even if the ship is obliged to put in harbor, Malvesin approving everything Roudes may do. Signed: Jacques Malvesin (paraph); Roudes (paraph).

Document charred, perforated and creased.

November 11.

1¼ pp.

The Council names Raguet, provisionally, as Procureur General, to succeed the deceased Fleuriau.

Excerpt from the Registers of the sessions of the Superior Council of the Province of Louisiana: "The Superior Council of the Province of Louisiana, deliberating on the representation made by Monsieur Michel, who showed that the office of Procureur General of the King, being vacant by the death of M. Fleuriau, provided with the said charge, it is necessary for the service of the King and of the public to name an upright, able and experienced person to fulfill the functions thereof until His Majesty has provided to the said office: whereon the Council having deliberated thereon has committed and commits M. Raguet, Titular Councillor in said Council, whose ability is known for having heretofore fulfilled said functions at different times and enjoyed all the prerogatives attached to said charge with the approbation of His Majesty until he has appointed to said office. Given in the Council Chamber at New Orleans, on November 11th, one thousand seven hundred and fifty-two." Signed: By the Council; Chantalou (paraph), Greff.

November 11.

1½ pp.

Answer of Caüe to claims of Dubreuil.

Answer made by M. de Caüe to demands of M. Dubreuil: To M. Dubreuil's claim of a sum of 1500 livres more, surprises M. Caüe all the more that since 1735 M. Du Breuil is my debtor; by his bad will in not paying what he owes him, he has placed Sr. Caüe in the necessity of selling his house, furniture and his slaves to liquidate his debts. He now asks that Du Breuil deposit in Registry a detailed account; but knowing M. Du Breuil, who would not have recourse to an Attorney to refute the bill, Caüe asks that he appear in person before the Council to answer him on said bill. This is all he can say at present, reserving the right to say more when he shall see the account produced. Signed: Caüe.

Upper margin of document in shreds, text partly destroyed; right margin curled, stained and torn.

November 11.

1 p.

Petition to convene a family meeting

Petition by Sr. Huchet de Kernion, stating that on the first of last August a decree of the Council ordered him to render account to Miss Dreux, who was emancipated under letters of benefit of age, under her curator, M. Dreux, to whom the account was to be communicated. He refused the curatorship in favor of M. Decaux (de Caüe), maternal uncle of the said minor, who would not debate the account. As it is in the interest of the minor that this affair be settled, Sr. Kernion prays that a meeting be convened of relatives and friends of the minor before a councillor appointed as Commissioner, to be held in the presence of the Procureur General, for account to be communicated to them, on the conclusions of the Procureur General, to be ordered what is just. Signed: Huchet de Kernion.

November 11.

No. 1329. 2½ pp.

Session of the Superior Council.

Session of the Superior Council, where were present: MM. de Vaudreuil, Governor; Michel, Commissioner General of the Marine and Ordonnateur; de Membrede, Major; Dauberville, Commissioner of the Marine and Second Councillor; Raguet, Dean of the Council, acting as Procureur General of the King; and Kernion, Councillor Assessor. Judgments rendered in the following cases:

Kernion, petitioner.

1. Kernion, Councillor Assessor, petitioner for rendering of account: Seen the petition of Sr. Kernion, and the conclusions of the Procureur General of the King, the Council has ordered that a family meeting be convened, to discuss in the presence of the minor, the account presented by Sr. Kernion, and to choose a curator for her.

Dubreuil vs. Caüe

2. Sr. Dubreuil, plaintiff, vs. Sr. Caüe, defendant: The Council orders the parties to debate the account before arbitrators, on whom they will agree. Sr. Dubreuil named M. Lesassier and Sr. Caüe named Sr. Barbin, the Council has appointed as super-arbitrator M. Deverges, Engineer of the King, vouchers to be produced before all, and parties to be ordered what shall appertain. Costs compensated.

Alexandre Viel and Dubuisson vs. Trepagnier.

3. Srs. Alexandre Viel and Dubuisson, plaintiffs, vs. Sr. (Francois) Trepanier (Trepagnier), defendant: The Council has rendered judgment in default against defendant for non-appearance and ordered him to be cited again at the next session. Costs pending.

Cantrelle vs. Garic, as attorney.

4. Sr. (Jacques) Cantrelle, plaintiff, vs. Sr. (Jean Baptiste) Garic, defendant: The Council, with the consent of the parties, has settled the memoranda in question at the sum of 160 livres, which the defendant is condemned to pay, with costs.

Madam Baudreau, petitioner, for separation of goods with her husband.

5. Marie Catherine Vinconneau (Vincennes), plaintiff, for separation of goods, vs. Jean Baptiste Baudreau, her husband, defendant: Case heard, with the conclusions of the Procureur General, the Council has rendered judgment in default against Baudreau, and orders that she remain separated in goods from her husband, that the renunciation made by her of community with her husband be certified, that she will take back all the movables she will prove to have brought to the marriage, inventory of which shall be made, and they will be her personal property and that of her children, forbidding her husband, for any reason whatever, to sell them, and condemns Baudreau to pay costs.

Garic vs. Fortier.

6. Sr. Garic, plaintiff, vs. Sr. Fortier, defendant: The Council has homologated the account presented by Fortier, and ordered that the 1600 livres be invested to the advantage of the minors, with the consent of the Procureur General of the King. Costs on succession.

Fazende, petitioner.

7. Sr. Fazende, Petitioner: Following the conclusions of the Procureur General of the King, the Council has homologated the advice of relatives, and consequently Jacques Fazende will remain emancipated to enjoy possession of his movables and revenue of the immovables, under the curatorship of Sr. Alexandre (Viel), and that this present will serve as letter of emancipation.

Document, at top and bottom of each page, signed: Michel.

November 11.

5½ pp.

Session of the Superior Council.

Unsigned Copy of the above session. Those present were: MM. de Vaudreuil, Governor; Michel, General Commissioner of the Marine, Ordonnateur and First Judge; Demembrede, Major of New Orleans; Dauberville, Commissioner of the Marine and Second Councillor; Raguet, Dean of the Council, acting as Procureur General of the King; and Kernion, Councillor Assessor.

Kernion, petitioner for a family meeting.

1. Petition presented by Sr. de Kernion, stating that on August 5th (1752) he had obtained a decree ordering the rendering of account to said minor, (Antoinette Rivard,) under authority of Sr. Dreux, her curator. He would not accept the charge, and it was transferred to Sr. Caüe, maternal uncle of the said minor, who would not accept it, wherefore, as it is to the interest of the minor that her affairs be settled, he prays the Council to convene a family meeting, in the presence of the Procureur General of the King. The Council has ordered a meeting of relatives and friends of Miss Rivarde, in her presence and in that of M. Dauberville and the Procureur General, to discuss the account presented by M. Kernion and thereon to be ordered what shall appertain.

Dubreuil vs. Caüe.

2. Sr. (Claude) Villars du Breuil, Captain of Militia, plaintiff, vs. Sr. Francois Caüe, defendant: Seen the petition presented by Sr. Villars du Breuil, Sr., on date of the 30th of last October. Concerning the accounts to settle with Sr. Caüe, they agreed on arbitrators, who were deceased M. Broutin, Engineer of the King, and Sr. Guesdon, who forgot various receipts of Sr. Caüe and held the plaintiff indebted for the sum of 4538 livres, 8 sols, without including a note of about 1800 livres, drawn by Sr. Caüe on the plaintiff, which he consented to pay, thinking it was due to Sr. Caüe; wherefore he prays that Sr. Caüe be cited at the next session to say that the acceptance of his mandate in favor of Srs. Pictet and Caminada is null and void, Sr. Caüe being indebted to plaintiff to the sum of 4538 livres, 8 sols, interest and costs. The Council has ordered and orders that the parties will compute the account together before the arbitrators, whereon Sr. Dubreuil named Sr. Lessassier and Sr. Caüe appointed Sr. Barbin, and the Council named Sr. Deverges, Engineer of the King, as super-arbitrator, to be ordered what shall by right appertain; all vouchers being communicated to both parties. Costs pending.

Alexandre Viel and Dubuisson vs. Trepagnier.

3. Sr. Alexandre Viel, as husband of Marie Anne Trepanier (Trepagnier), and Sr. Dubuisson, married to Ursule Trepanier, plaintiffs, vs. Sr. Francois Trepanier (Trepagnier), their

brother-in-law, defendant: Seen by the Council, the petition presented in last October on the 20th and 30th, order and certification, that Sr. Ignace Trepanier died about four months ago, leaving no heirs but the plaintiffs, Mesdames Macarty, Vauberry and Carriere, and Sr. Francois Trepanier, charged with his succession. Said Sr. Francois Trepanier is cited at the next session, to render account of said succession before a Councillor appointed as commissioner in this case; effects, movables, immovables and slaves to be sold judicially to the highest and last bidder in the usual manner, and the returns to be divided between co-heirs. The Council has rendered judgment in default against Sr. Francois Trepanier for non-appearance and ordered him to appear before the Superior Council at its next session. Costs pending.

Cantrelle, for Cariton succession, vs. Garic, as attorney.

4. Sr. Jacques Cantrelle, in charge of succession of deceased Sr. Jean Cariton, a coat-maker, plaintiff, vs. Sr. Jean Baptiste Garic, defendant: Seen the petition presented by Sr. Cantrelle, as testamentary executor, claiming a debt of 190 livres due said Cariton, from Sr. J. B. Garic, representing defendants. The Council has examined the memoranda of effects furnished by deceased Cariton, and condemns defendant to pay 160 livres and costs.

Madame Baudreau vs. her husband, for separation of goods.

5. Marie Catherine Vinconneau (Vincennes), plaintiff, for separation of goods from her husband, Jean Baptiste Baudreau, defendant: Seen the decree obtained by the plaintiff on the 5th of last August, concerning the wastefulness of Baudreau, his little aptitude in affairs exposing her to total ruin, as well as his large family. He has sold the last slave, and notwithstanding 1000 livres of merchandise he brought with him, he has contracted debts in Mobile, wherefore the petitioner is obliged to have recourse to justice to protect the rights of her marriage contract, the acquisitions made by her care and labor, and the gifts made to her and her family, to succor her at the time he was civilly dead, the plaintiff offering to prove by reliable witnesses the bad conduct of her husband; they will affirm that she always had patience, hoping for a change, and that necessity alone has forced her to take these steps. She prays that witnesses be cited to testify to what they know, on their report to grant separation of goods, and that consequently she be permitted to withdraw thirteen horned cattle brought by her marriage contract, and that the house and lots in the City be turned over to her as security of 3000 livres brought as her dowry; that her husband be forbidden to carry off or sell any cattle given to her children by her mother and Sr. Laville; that it also be permitted to her to withdraw the negress called Marie Anne and her family and one Valentine,

acquired by her labor, and those given to her by her deceased mother. This petition was notified to Sr. Baudreau to answer in a month, that inquiry will be made before M. Raguet. The whole duly considered, the Council has rendered second judgment in default for non-appearance, and granted the separation of goods demanded, giving him certificate of renunciation of his community by his wife and allowing her to take back all that she brought to said marriage, of which inventory will be made, forbidding said Beaudreau to alienate nor sell, for any reason whatsoever, any of his wife's or children's property. Costs of Court on Baudreau.

Garic, acting for Populus, vs. Fortier, as executor of succession of Widow Gervais.

6. Sr. J. B. Garic, as attorney for Sr. Populus de St. Protes (Protais), heir of deceased Catherine Baudreau, Widow Gervais, plaintiff, vs. Michel Fortier, Curator of the minor heirs of deceased Widow Gervais, defendant: Seen the petition of said Sr. Garic, as attorney, the decree of the 2nd of last September, by virtue of which Sr. Fortier rendered account to M. Raguet of said succession, and interested parties found nothing to discuss, and conclude that it please the Council to homologate the said account, and in consequence condemn Fortier to pay to defendant the sums that may fall to his share, so that he may invest these to their best advantage. Notice served on October 5th, by which there accrues to Sieurs Messager, La Soudraye and Populus for their share 1659 livres, 4 sols, 9 deniers. Heard the report of M. Raguet, with the conclusions of the Procureur General. Costs on succession.

Jacques Fazende, petitioner.

7. Sr. Jacques Fazende, petitioner: Seen the petition of September 2, 1752, by which the brothers and sisters of the petitioner obtain a decree serving as letters of emancipation, under the curatorship of Sr. Alexandre Vielle (Viel), without whom the petitioner would not have been included, as he was then absent, and he prays that he be allowed to call a family meeting to give their opinion on his emancipation, in consequence of which there intervened an order to assemble the relatives and friends of said minor before M. Raguet, in the presence of the Procureur General of the King, on their report to be ordered what shall appertain. The Council has homologated said opinion, and holds that this present will take the place of letters of benefit of age for the said Jacques Fazende to enjoy possession of his movables and immovables, under curatorship of Sr. Alexandre Vielle (Viel), without being allowed to alienate them until he has attained his majority.

Provisional appointment of Jean Baptiste

8. The Council, deliberating on the representation of Monsieur Michel, who has stated that the office of Procureur

Raguet by the Council as Procureur General until the King has provided for that place.

General of the King is vacant, owing to the death of M. Fleuriau, it became necessary to name an honest, able and experienced person to discharge the functions thereof until His Majesty has provided for said charge. The Council has named M. Raguet, Councillor and Notary, whose ability is known, for having filled this place at different times, to enjoy the prerogatives thereto attached, under His Majesty's pleasure, until he has provided for said charge.

November 11.

2 pp.

Widow de Gauvry petitions for permit to have inventory made of goods of her deceased husband.

Petition by Dame Catherine Pierre, Widow of deceased M. de Gauvry, Knight of the Military Order of St. Louis, and when living Commandant of the troops maintained in this Colony, stating that her husband, M. de Gauvry, who died last year, fulfilled no formality prescribed by law, and as he has children from two marriages, and that the community of the Widow would continue with them, which she wishes to dissolve, and could not do so previously without taking an inventory of all the movables and immovables of the said succession, in order to come to a division, before the Councillor it may please the Council to appoint as commissioner, in the presence of the Procureur General of the King. Signed: "Destrehan in charge."

Permit granted to have inventory made.

November 11, 1752. Permit to make an inventory in the presence of the interested parties. Signed: Raguet.

Permit for making of inventory.

November 11, 1752. Permit to make inventory, in the presence of the Procureur General, by M. Dauberville. Signed: Michel.

Action of the Superior Council on above petition of Widow de Gauvry (Gauvrit).

November 11, 1752. Excerpt from the Registers of the Superior Council, (in case of) Catherine Pierre, widow of Jean de Gauvrit, Captain of the troops of this Colony: Seen by the Superior Council the petition presented by the petitioner, who wishes to dissolve the community between herself and his children by a previous marriage, and prays for permit to have inventory made of the goods of the succession, in order to effect a division, before the Councillor named for that purpose by the Council. The Council has permitted Madam de Gauvrit to have inventory taken of the movables and immovables of the succession, before M. Dauberville, Commissioner of the Marine, in the presence of the Procureur General. Signed: By the Council; Chantalou (paraph), Greff.

November 13.

2½ pp.

Procuration.

Procuration granted before the Notaries Royal of La Rochelle, by Joseph Pascaud, owner of the ship the "Chimene", to Louis Anthoine de Calogne. He empowers said de Calogne to represent him in New Orleans and other places, and to prosecute, in his name, the widow and heirs of Sr. Gerbe, for the payment of the sum of 1054 livres, 17 sols, 7 deniers, due by said Gerbe to "La Chimene", following the accounts, at present in said place, said Sieur Pascaud giving him all possible power and by this present approving all that he may do, this procuration to subsist until revocation of same. Signed: J. Pascaud; F. Desbarres; Solleau.

Certificates.

Collated at La Rochelle, November 13, 1752. Signed: Püchon. Certificate of authenticity. Signed: Beraudin.

November 15.

2½ pp.

Defense to alleged false statements.

Defense before the Superior Council to answer the false statements of Sr. Melineau and speak the truth as briefly as possible. Sr. Godeau, having been informed by letters of Sr. d'Armagnac's arrival on a ship from Nantes, loaded with wood consigned to him, addressed himself to me for the unloading on the 15th of last August. On the sixteenth of the same month the annexed policy. According to Sieur Godeau the ship would arrive from one day to the next. The ship under Sr. Melineau did not arrive until the fifteenth of September. Heavy rains, followed by intense heat, brought gnats (worms) which attacked the wood, without deteriorating the heart nor the quality of the wood. Several representations were made to Sr. Melineau during his stay in New Orleans. His ship reached the plantation of the writer, Sr. Daunoy, on the 24th of October, under command of his second, and the unloading began. I showed the wood to the second, who would not take any responsibility, and came to the City to avoid all difficulty, seeking an arbitrator, as I took Sr. Coupry, his friend, for mine; in all this I evinced my good faith and my frankness, to be surprised by the arrival of Sr. Melineau and a sheriff with a summons to return on my levee, opposite the ship; the wood mentioned in the policy, I complied so well that in six days there was not a piece of wood left on board. The arbitrators notified beforehand by Sr. Melineau, who wanted no punctured wood, said that the wood was fine, and that I could not force Melineau to take them back owing to small punctures. Not wanting to enter suit, I proposed to Melineau, by the arbitrators, to take the wood at the price he would name; he refused my proposal. Informed by Coupry that Melineau could not leave before the 15th or 20th of January, on account of his engagements, and a new cargo which Sr. Chaperon was to furnish him for the 5th of January,

at which date I offered to furnish him another cargo, to which he consented. I was moreover threatened to bear the costs of the ship and also with the consequences which this delay might cause, which might frighten me if I did not know your justice; wherefore I pray that Sr. Melineau's demands be rejected and that he be condemned to load the wood furnished him, and in case of bad weather or unforeseen accidents prevent the cutting of 551 pieces mentioned in the policy, to order that it be examined by experts, who on the wood I have drawn will choose enough to complete the 551 pieces. Signed: Daunoy.

Petition by Melineau, in above matter.

November 29, 1752. Petition by Charles Melineau, Captain of the ship the "Marechal de Broglie" of Nantes, stating that he made an agreement with Sr. Daunois, resident at the Concession, to . . . (text destroyed) . . . , wherefore he . . . (rest of document missing).

Melineau presents another petition in the case.

December 13, 1752. Petition by Captain Charles Melineau of the ship the "Marechal de Broglie" of Nantes, stating that he has already presented a statement concerning the agreement made between him and Sr. Daunoy, to furnish him in October a cargo of wood, for the ship, that on the 20th of said month he sent the wood, which was found to be defective. He prays that Sr. Daunoy be cited, to be condemned to furnish petitioner the quantity of wood mentioned, otherwise the petitioner will buy it at his expense wherever he finds it; moreover, in case of delay Daunoy will be responsible for wages and nourishment of crew and all other expense caused by the delay, damages and costs of court. On this petition intervened an order of November 29th, that parties would each choose an arbitrator to examine the wood, thereon to draw up a proces verbal, on report of which the order was served on Sr. Daunois (Daunoy). The arbitrator for the ship found but two pieces good and salable and refused the remainder, wherefore he prays that Sr. Daunoy be compelled to pay all costs attending said delay, and that he be moreover responsible for all other accidents occasioned by said delay.

Order for citation.

December 15, 1752. Order for citation of Sr. Daunoy. Signed: Michel.

Noticed served.

December 16, 1752. Notice of citation served on Sr. Daunoy, residing on his plantation, on petition of Sr. Melineau, to appear before the Council next Monday, December 18th, at ten o'clock in the morning. Signed: Lenormand.

Document stained, margins curled, and text of upper part of third page partly destroyed.

November 15.

1 p.

Letter, Rasteau to Chantalou.

Letter addressed to Chantalou, at New Orleans, by Rasteau of La Rochelle: He recalls letter written to him March 3, 1750, hoping that he has seen to his unfortunate affair in this Colony and that he will collect all funds available; he counts on him and Monsieur Michel, whom he has applied to. When funds are collected he will be obliged to him to make the division at a sol per livre to the creditors, and to remit what may come to said Rasteau to M. Billoyeau, Commandant of the ship "L' Union", that his eldest son has outfitted for the Colony. Hopes that he will give him personal news, and repeats his friendly sentiments.

Lower and right margins ragged.

(No date).

2½ pp.

Letter concerning M. Latiolais' death, as he is tutor of his minor heirs.

Letter to M. Chantalou, signed Duparmeur(?), stating that the death of M. Latiolais, placing him under the necessity of clearing his affairs as tutor of his minor children, he prays him to go to the house of M. Escot, where the deceased lodged, to have inventory made of effects he left and also appraisement of same, and when declaration of the creditors is received he asks that a copy of it be sent to him to annex to the inventory, in order to see if his goods are sufficient to liquidate his debts, and to accept or renounce the succession. He also asks him to find out if the Council will grant him a delay sufficient to take cognizance of the goods in Saint Malo. It is a charity to oblige an orphan, and if you can have knowledge of the debts and have the inventory made before the return of M. Doussaint to Mobile, he will render a great service to the writer.

P. S. Request to answer on the request herein; he has forgotten to mention that there is a flock of sheep at M. Montreuil's belonging to said deceased.

November 17.

2½ pp.

Petition for payment of debt.

Petition of M. Lagrange, merchant of New Orleans, stating that one Colmart, a saddler, owes him the sum of 238 livres, on his note which fell due on the 21st of last August, wherefore he prays that said Colmart be cited, to be condemned to pay said sum, expense and costs thereof. Signed: degrange.

Permit to cite.

November 17, 1752. Permit to cite, signed: Dauberville.

Notice served.

November 18, 1752. Notice of citation served on Sr. Colmart, at his domicile in New Orleans, to appear before the Council, at its next session,

on the first Saturday in December, on petition of Sr. Lagrange, by Sheriff Lenormand. Signed: Lenormand.

Another citation served on Colmart.

July 3, 1753. On petition of Sr. Lagrange, merchant of New Orleans, Sheriff Lenormand served notice of citation on Sr. Colmart, at his domicile, speaking to his wife, to appear before the Council on the seventh of the present month, to answer on petition of Sr. Lagrange, of which he was duly notified on the 18th of last November, claiming costs, and notifying him that in his presence or his absence the Court will proceed to final judgment. Copy left him of this present, which was certified.

Document stained and lower part torn.

November 17.

3½ pp.

Petition for settlement of a debt.

Petition by Jean Hinard, ship Captain, stating that before leaving this country and before the sale of the schooner "L'Heureux Ami", he signed a note in favor of Choutaud (Chouteau), public inn-keeper, for 250 livres, which one Cassagne, a sailor on said schooner, owed him, the said sum owed to Cassagne for his wages; but owing to the excessive expense it had cost for the preservation of the schooner, the petitioner, who was the owner of "L'heureux Ami", petitioned for its judicial sale, which was done and the returns deposited in the Registry. The sailor's wages remain affected and hypothecated, and Chouteau's debt should be raised. This retention of his funds causes him great prejudice in his commerce, wherefore he prays the Council to order that the said debt of 250 livres due to Chouteau, be taken from them, petitioner's note having been made in view of returns on said sale, and he prays for citation of Sr. Chouteau, to hear it ordered that 250 livres be taken on said funds, as affected to the wages of the crew. Signed: Hinard.

Permit to cite.

November 17, 1752. Permit to cite at the next session. Signed: D'Auberville.

Notice served.

November 17, 1752. Notice of citation served on Sr. Chouteau, inn-keeper, to appear before Council on the first Saturday of December, at eight o'clock in the morning, on petition of Sr. Hinard, speaking to him personally, and leaving him copy of petition, order and this notice, which was certified. Signed: Lenormand.

November 17.

Petition for recovery of debt.

Petition by Sr. Jacques Cantrelle, as testamentary executor of deceased Jean Cariton, claiming that Sr. Nicolas Chauvin de Boisclair owes 220 livres, memoranda hereto annexed, wherefore he prays for citation of Sr. Boisclair, to hear himself condemned to pay 220 livres, interest and costs. Signed: Cantrelle.

Permit to cite.

November 17, 1752. Permit to cite, signed: D'Auberville.

Notice served.

December 28, 1752. Notice of citation served on Sr. Nicolas Chauvin de Boisclair, settler at the Chapitoulas, at his domicile elected in New Orleans, elected in the house of Sieur Garic, to appear before the Council January 13th, at eight o'clock in the morning, to hear ordered what shall appertain, claiming costs, leaving copy of the memoranda, petition and notice, which was certified. Signed: Lenormand.

November 27.

Petition for recovery of debt.

Petition by Louis David Girardeau, holding procuration by substitution to collect from Sr. Francois Durand, merchant of this City, 4500 livres (principal), following his note, as per procuration hereto annexed, and collated copy of his note in favor of Sr. Noel Pelling. Sr. Durand has refused to pay, wherefore he prays that he be cited at the next session, to be condemned to said payment, interest and costs.

Permit to cite.

November 28, 1752. Permit to cite, signed: Michel.

Notice served.

November 28, 1752. Notice of citation served on Sr. Durand at his domicile, speaking to his daughter, ordering him to appear in the Council Chamber, on Saturday, December 2nd, on petition of Sr. Girardeau, leaving copy of petition, of note, procuration and notice, which was certified. Signed: Lenormand.

November 29.

1¾ pp.

Petition for rendering account of succession.

Petition to Superior Council by Francois Jourdain, husband of Francoise Therese Le Roy, stating that after death of her father she remained under the authority of Claudine Grison, her mother, who later married Antoine Danède, who was thus charged with the administration of the goods. She prays that Sr. Danède, husband of her stepmother, be cited, to be condemned to render account of the succession of Sr. Pierre Ferrand, and to effect division, the whole judicially, so that each may have his share, before the Councillor it may please the Council to name as commissioner. Signed: Jourdain.

Permit to cite.

November 29, 1752. Permit to cite, signed: Dauberville.

Notice served.

January 5, 1753. Notice of citation served on Sr. Antoine Danède, on petition of Sr. Jourdain, to appear before the Council on January 13th, to hear ordered what shall appertain, by Sheriff Lenormand, who left copies of the petition and this notice, which was certified.

November 30.

3 pp.

Letter, Testar to Chantalou.

Letter addressed to Chantalou in New Orleans, by Testar of La Rochelle, notifying him of the sending of two cases of firearms and other merchandise; two mantelets for Madam Chantalou are sent by the ship from Nantes, which will leave in January, and by the same occasion he sends some bolts of Brittany linen. Received funds sent; will send a more considerable sum, because it is usual in an association to have a fixed fund to work with rules and precision. The present envoy of 10,710 livres, 12 sols, 6 deniers, having deducted the 2300 livres received from him, (Chantalou,) persuaded that you have come to an understanding with M. Henry for the 2000 livres. He (Chantalou) is now a debtor for 3479 livres, 12 sols, 7 deniers, including the small private sum. I recommend to you, as if it were your own, the affair of deceased Gerbe. Despatched several corks in the case of firearms; besides the arms will be safer, as it will preserve them from the dampness. Compliments to Madam Chantalou.

Document water stained.

December 2.

No. 1331. 1½ pp.

Session of the Superior Council.

Session of the Superior Council, where were present MM. de Vaudreuil, Governor; Michel, General Commissioner of the Marine, Ordonnateur, presiding; Dauberville, Commissioner of the Marine, Second Councillor; Le Bretton, Kernion and Lafreniere, Councillors Assessors; and Raguet, Procureur General of the King. Judgments rendered in the following cases:

Joseph Girardy vs. Charles Tarascon.

1. Joseph Girardy, plaintiff, vs. Charles Tarascon, defendant: The Council has heard the parties, with the conclusions of the Procureur General, and has rejected all demands of the plaintiff and ordered the parties to live in union. It allows Girardy to take off the negro cabins which he built on said land, costs compensated, and recommends particularly to Tarascon and his wife to respect their father.

Hinard vs. Chouteau.

2. Jean Hinard, plaintiff, vs. Chouteau, defendant: Case heard, the Council has ordered the sum of 250 livres to be paid to Chouteau, from the funds deposited in the Registry, proceeding from the sale of the schooner, the surplus of said funds to be remitted to Sr. Hynard, on his furnishing good and sufficient bond, and the Greffier (clerk of court) to be validly discharged. Costs to be borne by Sr. Hynard.

Alexandre and Dubuisson vs. Trepagnier.

3. Sieurs Alexandre and Dubuisson, plaintiffs, vs. Sr. Trepagnier, defendant: Seen the decree in default, parties heard, with the conclusions of the Procureur General of the King, the

Council has ordered and orders said Sr. Trepagnier to render account of the said succession, in a month at latest, to the family.

Girardeau vs. Durand.

4. Sr. Girardeau, plaintiff, vs. Sr. Durand, defendant: The Council has rendered judgment in default against the defendant for non-appearance, and orders him to be cited again. Costs pending.

Dubreuil vs. Messager and Fortier.

5. Sr. Dubreuil, plaintiff, vs. Sieurs Messager and Michel Fortier, defendants; with seizure: The Council has rendered judgment in default against Fortier for non-appearance, and orders said seizure to remain in his possession until reasonable delay against Sr. Messager, who (illegible). . . . Costs pending.

Jourdain, petitioner.

6. Francois Jourdain, petitioner: (Rest missing).

Document signed: Michel.

December 2.

5¼ pp.

Session of the Superior Council. (An unsigned copy.) Were present MM. de Vaudreuil, Governor; Michel, General Commissioner of the Marine, Ordonnateur and First Judge; Dauberville, Commissioner of the Marine, Second Councillor; Raguet, acting as Procureur General of the King; Le Bretton, Kernion and Lafreniere, Councillors Assessors. Judgments rendered in the following cases:

Session of the Superior Council.

Girardy vs, Tarascon.

1. Joseph Girardy, resident at Bayou St. John, plaintiff, vs. Charles Tarascon, husband of Marie Louise Girardy, former Widow Langlois, defendant: Seen the petition presented by the said Girardy, plaintiff, order and summons of last November 6th, the said petition stating that in 1734 a donation was made, on account of death, to Marie Louise Girardy, daughter of the petitioner, by Sr. Louis Turpin, of eight arpents frontage by ordinary depth, which land was not cleared, as it was in standing wood, that the said plaintiff made all the clearings, inclosures and buildings now on it, and put it in value, so that this donation should not subsist in favor of Marie Louise Girardy: first, in default of registration; secondly, because if the plaintiff had left this land uncleared since eighteen years, it would have been conceded to whomever asked for it, and consequently this donation would have brought no benefit, wherefore the plaintiff believes he has the right of ownership as the first occupant, and also because it was made in consequence of 300 crowns which the plaintiff paid Sr. Turpin. That at this day Sr. Tarascon, without regard for the services rendered by the plaintiff, will not allow his cattle on the land, and has forbidden his negroes to set foot on it, under threat of breaking their arms if he met them on it. Their cabins are there, constructed since its estab-

lishment. He prays that he be permitted to have Sr. Tarascon cited at the next session, to leave the said land remain in common as heretofore, to allow the negroes to enjoy the possession of their cabins, that the cattle, as in the past, be at liberty in the parks, unless the defendant prefers to pay, on expert appraisement, for the clearing, fences and buildings on it: Seen the defense of Charles Tarascon, on November 27th, the donation made by said Turpin to Marie Louise Girardy before Rossard, May 11, 1734; both parties heard, the Council has rejected the demands and pretensions of the plaintiff and ordered the parties to live in good intelligence, and to Sr. Charles Tarascon and his wife to respect their father, and permit Joseph Girardy to take off the negro cabins he built on the said land. Costs compensated.

Hynard vs. Chouteau.

2. Captain Jean Hynard, plaintiff, vs. Chouteau, resident and defendant: Seen the petition presented by Hynard, the order and summons of November 17th, the petition and sale of the schooner "Les deux amis", a note in favor of Chouteau, the inn-keeper, for 251 livres for Cassagne, on the sailor's wages, but after the sale all the funds were deposited in the Registry. He is about to be seized, and prays that the debt due to Chouteau be raised on the funds deposited in the Registry. The amount is due to Cassagne, and Hynard has paid the interested parties. The Council has ordered that the said sum of 251 livres shall be paid from the deposit in the Registry, on Sr. Hynard furnishing good and sufficient bond, and that after said payment the Greffier will be given a valid discharge. Costs on Sr. Hynard.

Alexandre Viel and Dubuisson vs. Francois Trepagnier.

3. Sr. Alexandre Viel, husband of Marianne Trepanier (Trepagnier), and Sr. Dubuisson, husband of Ursule Trepanier, co-heirs in the succession of deceased Ignace Trepanier, their brother-in-law, plaintiffs, vs. Sr. Francois Trepanier, defendant: Seen the decree in default of November 11th, and the petition of the plaintiffs, stating that Sr. Ignace Trepanier died about four months ago, leaving only collateral heirs, who are the plaintiffs, Madam Macarty, Vaubery and Carriere, and Sr. Francois Trepagnier, in whose possession are the effects of the succession. Sr. Francois Trepagnier has been cited, to hear himself condemned to render account of said succession. The Council has ordered Sr. Francois Trepagnier to render account to the heirs, in a month at latest. Costs pending.

Girardeau vs. Durand.

4. Sr. Louis David Girardeau, merchant of New Orleans, holding procuration of Pierre Boudat, merchant of La Rochelle, by substitution, said Boudat holding procuration of Sr. Jean Charles and Alexandre Gigou, Rectors of the Hospital of St. Savournin in Provence, plaintiffs, vs. Sr. Francois Durand of

New Orleans: Seen the petition of Sr. Girardeau, plaintiff, the order and summons of November 28th, his procuration empowering him to receive a sum of 4500 livres, as per copy of note in favor of Noel Pellong, who in his will donated said sum to the Hotel Dieu of St. Savournin, according to the copy of said will in the possession of Sr. Girardeau, who prays that Sr. Durand be cited, to hear himself condemned to pay the sum of 4500 livres principal, interest and cost of protest, and all other costs, with copy of note made at Martinique, October 9, 1747, of the sum of 300 livres, in specie. Sr. Joseph Durand, his brother, was commissioned to pay to M. Pellong or to his heirs the said note, registered at Marseilles, July 5, 1749; the copy of the will made by Noel Pellong May 21, 1751; receipt to Saugne, Notary and Greffier of St. Savournin, the whole duly legalized by M. Antoine Rousset, Civil and Criminal Lieutenant, at Savournin on May 15, 1752. Seen the procuration of Jean Charles and André Gigou, Rectors of the Hospital, to Sr. Pierre Boudet, merchant at La Rochelle, in May, 1752, legalized May 15, 1752; the procuration to David Girardeau in June, 1752, legalized by Beraudin on the 15th of said month. The Council has rendered judgment in default against Sr. Durand and cited him anew. Costs pending.

Dubreuil vs. Messager and Forestier (Fortier).

5. Sr. Claude Joseph Dubreuil, Captain of the town militia, plaintiff, vs. Sr. Messager, resident of Illinois, and Sr. Michel Forestier, gun-maker of New Orleans, as curator of heirs of deceased Etienne Langlois and of Marie Baudreau, his wife, defendants; a case of seizure: Seen the petition presented by Sr. Dubreuil on the 15th and 18th of last April, claiming for Sr. Messager a sum of 2492 livres, 10 sols, which he paid for him to Srs. Pictet and Voisin, as bondsman of Sr. Messager, to which he was condemned in September, 1743, as shown by the acknowledgment of August 19, 1742. Funds of the succession are at this day in the hands of Forestier, as Curator. He prays that Messager be cited, to be condemned to pay the said sum, interest and costs, and moreover to allow seizure of all funds in Fortier's possession which may come to Messager from the said succession, to the sum of 2492 livres, 10 sols, interest and costs, under order of M. Michel. The Council has rendered judgment in default against Fortier for non-appearance, and in consequence orders seizure after reasonable delay against Sr. Messager, which will be eight months from this present. Costs pending.

Isabelle, a free negress, petitioner.

6. Isabelle, a free negress, petitioner: The Council has seen the conclusions of the Procureur General of the King, and orders that the effects contained in the inventory of Jean Baptiste Gon de Chavannes shall be delivered, on account of their small value,

to Isabelle and her daughter, in place of payment of their wages during the time they served M. de Chavannes, as he left no other goods; following which the guardian shall be validly discharged.

Petition of Alexandre Bauré, for homologation of a donation.

7. Sr. Alexandre Bauré, petitioner in homologation of a donation: The Council has seen the marriage contract, passed before M. Henry, between Miss Marie La Branche, Widow Verret, and Alexandre Bauré, on date of August 23, 1749, the said contract carrying a donation by said Widow Verret of a child's share to said Bauré, following the edict of the second marriage; and having heard the conclusions of the Procureur General of the King, the Council has homologated the said donation during this sitting, which was read, and execution ordered according to its form and tenor, after registration in the Registry, which was done in the moment in Fo. No. 54.

Mutual donation entre vifs between Duplessis and his wife.

8. Francois Armand Duplessis, resident of New Orleans, petitioner for homologation of a donation: Seen the mutual donation, in marriage contract passed before Notary Henry, August 23, 1749, between Sieur Duplessis and Marie Sautier, only daughter of Jacques Sautier, the said contract carrying donation "entre vifs", mutual, reciprocal and irrevocable, of all movables and immovables acquired during their community, the survivor to enjoy possession of same as belonging to him; the said donation read during this sitting, and the conclusions of the Procureur General heard, the Council has homologated said donation, which shall be executed in its form and tenor, and in consequence it is ordered that it be filed in the Register of the Registry, which was done in the moment, Fo. No. 54.

December 2.

3¾ pp.

Case of Girardeau vs. Durand, before the Council.

Excerpt from the Registers of the Council, between Sieur Louis David Girardeau, merchant of New Orleans, as charged with a procuration of Sr. Pierre Boudet, merchant of La Rochelle, by substitution for Sr. Jean Charles and André Gigou, Rectors of the Hospital of St. Savournin in Provence, France. The Council, with the other papers, has seen the note in favor of Sr. Pellong, the sum of which he donated by his will to the Hotel Dieu of St. Savournin; Sr. Durand having refused to pay it, Girardeau prayed that he be cited to pay principal of 4500 livres, interest, cost of protest, and costs of Court. The defendant states that his brother, Joseph Durand, paid the said sum to said Pellong or to his heirs. Seen the summons, notice, the said note registered at Marseilles July 5th, and copy of said will made by Noel Pellong May 21, 1751, before the Notary and Greffier of St. Saturnin, the whole duly legalized by the civil and criminal

Lieutenant of said place, (illegible) and notified to Sr. Durand by Lenormand, Sheriff. The Council has rendered first judgment in default and ordered that he be cited again at the next session. Signed: By the Council; Chantalou (paraph).

Notice served on Durand.

December 23, 1752. By virtue of above decree, and on petition of Sr. Louis David Girardeau, in his capacity, Sheriff Lenormand, residing in New Orleans, has served notice on Sr. Francois Durand, at his domicile, speaking to him personally, ordering him to appear before the Superior Council, Saturday, January 13th, at eight o'clock A.M., to answer on petition of Sr. Girardeau, and to hear ordered what is just, leaving him copy of the decree, summons and notice, which was certified. Signed: Lenormand.

December 7.

Report of arbitrators in case of Melineau vs. Daunoy.

Report made by arbitrators in case of Captain Melineau vs. Sieur Daunoy, residing at the Concession. The arbitrators were Sieurs Chaperon and Couprie; Chaperon was named by Sr. Melineau, and Sr. Couprie by Sr. Daunoy. They certify that the wood contracted for, for the cargo of the ship "Le Marechal de Broglie", was damaged; that on forty pieces there were two salable ones, and the whole was neither good nor salable according to the agreement. They have delivered this present to serve as need may be. Sr. Chaperon, not knowing how to sign, has made his ordinary mark. Signed: Couprie; Ordinary mark of Joseph (X) Chaperon."

5½ pp.

Decree of the Superior Council in case of Melineau vs. Daunoy.

December 20, 1752. Session of the Superior Council. Were present: MM. de Vaudreuil, Governor; Dauberville, Commissioner of the Marine and Second Councillor; Demembrede, Major; Kernion, Councillor Assessor; and Raguet, acting as Procureur General of the King. Charles Melineau, Captain of the ship "Le Marechal de Broglie" of Nantes, plaintiff, vs. Sr. Daunoy, resident of this Colony, defendant: The said petition states that Melineau had made agreement with Sr. Daunoy to furnish the cargo of wood for his ship in the quantity prescribed. It was to be delivered in October, 1752; in consequence of this agreement the plaintiff brought his ship to the plantation of Sr. Daunoy to load the wood; he found no wood but a few pieces which were rotten and not salable, by which he lost time and the cost of nourishment of himself and the crew, and had Sr. Daunoy cited to appear in extraordinary session, on such a day and hour that it might please the Council to name, to be condemned to furnish the quantity of wood mentioned in their agreement, in a delay of twenty-four hours, the plaintiff being allowed to seek it elsewhere at the cost of the defendant; to

be condemned moreover to pay the costs occasioned by delay of the ship, the nourishment of the crew, and other costs, damages and interest, on which they will agree; the said petition on date of November 29, 1752. M. Michel, General Commissioner of the Marine, Ordonnateur, ordered the parties to name within eight days, each on his side, an arbitrator to verify the quality of the wood, on date of the 7th of December, present month; of said examination, they will draw up a proces verbal on which to have Sr. Daunoy cited before the Council, to be condemned to pay, as aforementioned. Moreover, the defendant will be responsible for any accidents occasioned by the said delay, and for all the costs of the suit. Seen the defense of Sr. Daunoy, in which the arrival of said ship is announced from Santo Domingo, and Sr. Goudau ordered to hold the cargo of wood in readiness. On the 24th of October the ship arrived at the plantation of the defendant, commanded by the second, to whom he showed the wood; he would not take the responsibility, and in the meanwhile the defendant wrote to Melineau to choose arbitrators, and was much surprised when the answer came as a summons to furnish to plaintiff the wood agreed on, and mentioned in the policy; the arbitrators notified that the plaintiff wanted no wood with punctures, said that the wood was fine but they could not force plaintiff to accept wood with punctures. The defendant, to avoid all contestation, proposed to make a new cargo to be furnished on the 6th of next January, which the plaintiff agreed to. All the negroes were set to work in the woods, standing to their knees in water, and yesterday had 200 pieces on the water's edge. On Saturday the defendant received another notice from the plaintiff; he saw himself threatened to have not only the costs of the crew and of the ship, but to answer for any event occasioned by the delay, wherefore defendant prayed that plaintiff's demands be rejected, and that he be compelled to load the wood furnished, if it was good and salable. The Council condemns Sr. Daunoy, the defendant, to furnish the 550 pieces of wood mentioned in the policy, all delay and deduction to be made with consent of the said parties, and permits the plaintiff, to hasten his loading, to take where he chooses 200 pieces of wood, notifying the defendant, whom the Council condemns to costs. All necessary summons given in the Council Chamber. Signed: By the Council.

No. 1332. 1 p.

Judgment in case of Melineau vs. Daunoy.

December 20, 1752. Session of the Superior Council. Were present MM. de Vaudreuil, Governor; Dauberville, Commissioner of the Marine, Second Councillor; Demembrede, Major; Kernion, Councillor Assessor; Raguet, Procureur General of the King. Between Sr. Melineau, Captain of the merchant ship "Le Marechal de Broglie" from Nantes, plaintiff, vs. Sr. Daunoy, inhabitant of this Colony, defendant: The Council has seen the demands and defenses of the parties,

the conclusions of the Procureur General, and with their consent has condemned and condemns the defendant to deliver the 550 pieces of wood mentioned in the policy, on above date, between now and the eighth of next January, deduction made, with consent of the parties, of one sol per piece of the said wood, to serve as indemnity to the said plaintiff, and moreover it is allowed the plaintiff, to hasten his loading, to take where he pleases the quantity of 200 pieces of wood, which he may load on his ship, and when loaded he shall be held to notify the defendant to cease the said furnishing; and condemns said defendant to costs. Signed: D'Auberville.

December 19.

1 p.

Complaint on a runaway slave.

Appearance in the Registry of the Superior Council, of Sr. Joseph Ducros, resident of New Orleans, who said and declared to us that his father-in-law, Sr. Louis Wiltz, being ill and confined to his bed since a long time, cannot go to the Registry to declare that his negro Cypion has run away since two months, without any reason, and if he is caught, Sr. Wiltz asks that he be dealt with according to the exigencies of the case, not having worked in his service for ten months, of which he demands certificate. Signed by Ducros and the Greffier. Signed: Chantalou (paraph), Greff.

Document stained and ragged.

(No date).

(Notarial copy).

Obligation of Pierre Couturier and his wife to Treasurer Destrehan. (Obligation dates from November 3rd, but there is no date on the copy.)

Sieur Pierre Couturier, Surgeon of the fourth Company of the Swiss Regiment of Karrer, garrisoned in New Orleans, appeared before the Notary Royal of the Province of Louisiana, with his wife, Francoise le Kintrek, called Dupont, whom he authorizes to count with Sr. Jean Baptiste Destrehan, Treasurer of the Marine in this Colony, the effects and merchandise given to him to sell on commission. They are indebted to said Destrehan for the sum of 4889 livres, 10 sols, 7 deniers, for which they obligate themselves solidarily, one for the other, one for both, without division nor discussion, to pay said Sr. Destrehan, or to the bearer of the copy of the obligation, as soon as possible, and at latest when the pelts expected by them arrive from Attakapas. They are interested in one half of the trade of Attakapas, for security of which they solidarily affect and hypothecate all their movables and immovables, now in their possession and to come hereafter, particularly the house acquired from Sr. Medsingue, rented to Sr. Gachinard for the sum of 800 livres, said rent beginning on last October 15th, which is hypothecated to the sum of 7000 livres for payment of said principal; likewise hypothecating to Sr. Destrehan all the pelts and other effects which will come from the trade of Attakapas and Opelusas,

half of which belongs to Sieur Courtableau, his associate; also hypothecating and obligating a negress named Manon and her daughter, owned by them, whom they cannot sell nor engage until payment of said hypothecation; the above being accepted by Sr. Destrehan, here present, promising debtors of said obligation, to execute it in full. The original of this document is signed: Couturier; Destrehan; Francoise Le Kintrek; and Lenormand. Signed: Chantalou.

(No date).

Petition by Couturier that Destrehan's opposition to sale of a house be denied.

Couturier states to the Superior Council that Destrehan represents that he, Couturier, owes him 4888 livres, and consequently opposes the sale of the house to Sr. Lagrange, merchant of New Orleans; Sr. Destrehan gives as his reason, that the house was sold for 7000 livres, and that he has a mortgage on it. Sr. Couturier does not deny his debt to Destrehan. On this house, Couturier's brother in-law, Chevalier, has a hypothecation of 5000 livres and Messager another of 2000 livres. He does not grant Destrehan the right to oppose a present of 100 pistoles the purchaser made to his wife, as she was not associated in the sale. Besides, he is obligated to pay Destrehan only when the pelts reach here from Attakapas, and therefore he prays that said opposition be dismissed. Signed: Couturier.

Sale protested by Destrehan until payment of mortgage.

December 23, 1752. Petition by Jean Baptiste Destrehan, stating that he is the bearer of an obligation by Sr. Pierre Couturier and Francoise le Kintrek, his wife, for a sum of 4889 livres, 10 sols, 7 deniers, for which sum the debtors have hypothecated to him the surplus over the sum of 7000 livres, the value of a house which they purchased from Sr. Medsingue; that Sr. Couturier and his wife have sold the said house for 7000 livres, to cancel the mortgages; that he has been informed that it was sold for more, but that in accord with the purchaser, the sale was to be passed at 7000 livres. As this sale would cause a loss to the petitioner, he opposes the sale until said mortgage be cancelled, and as there are three mortgages on the said house, he prays that it be sold judicially to the highest bidder, the petitioner being entitled to the surplus over 7000 livres; wherefore he protests, his opposition to remain in effect until his debt be cancelled, his debt amounting to 4889 livres, 10 sols, 7 deniers, interest and costs. Signed: Garic, for Sr. Destrehan.

Permit to cite, with protest in effect.

December 23, 1752. Permit to cite at the next session of the Council; however, protest will be in force. Signed: Dauberville.

Notice of citation served on Couturier.

December 28, 1752. Notice of citation served on Sieur and Madam Couturier at their domicile, speaking to them personally, on petition of Sr. Destrehan, also of New Orleans, to appear on Saturday, January 13th, at eight o'clock A.M. Signed: Lenormand.

(Copy). Protest by Garic, acting for Destrehan.

December 23, 1752. Sr. Jean Baptiste Garic, acting for Sieur Destrehan, who declared to us that by virtue of an obligation contracted by Sieur and Dame Couturier, for the sum of 4889 livres, 10 sols, 7 deniers, dated November 3, 1752, and that notwithstanding this obligation thay have sold the said house and lot, following postings, hypothecations, etc.; the said house and lot should be sold judicially instead of privately, until cancellation of the hypothecations. Certificate required and given. Original signed: Garic.

Document stained and ragged.

December 28. Petition to deduct from price of negro who since died.

Petition to M. Dauberville, Commissioner of the Marine, Ordonnateur and First Judge in the Superior Council, by Joseph Philip, Captain of the ship "Ste. Anne" of Bordeaux, stating that on the 13th of last November he sold to Mr. Dezilay (Des Islets), of this City, three negroes (pieces d'Inde) for 1200 livres in letters of exchange. Sieur Delizay now asks that a reduction be made on one of the said negroes, who has since died, which cannot be granted, owing to the agreement between them. Petitioner has recourse to authority of M. Dauberville, to have Mr. Dezilay cited, to be compelled to pay for the dead negro with the others. Awaiting this favor, the petitioner will not cease to pray for your prosperity. Signed: Philip (paraph).

Permit to cite.

December 28, 1752. Permit to cite at next session of the Council. Signed: Dauberville.

Notice served.

December 29, 1752. Notice of citation served on Sr. "Dezillets" (Des Islets) at his domicile in New Orleans, on petition of Sr. Joseph Philip, domiciled in his store in this City, to appear before the Council on Saturday, January 13th, at eight o'clock A.M., by Sheriff Lenormand.

Defense of Des Islets to petition of Joseph Philip.

December 30, 1752. Dezillets (Des Islets), answering notice of citation served on him on petition of Sr. Philip, states that he bought four negroes, for payment of which suit has been instituted. Sr. Philip has endeavored to elude the principal condition in favor of M. Dezillets. The slaves whom the inhabitants of the Islands sent to be sold in this Colony, Sr. Philip was answerable for them, in the case that a

usual, unknown or private disease should develop. Immediately on reaching his plantation, two fell sick, but the good treatment they received put them in condition to be sent back to the vendor, who took them back without any difficulty. Sr. Dumanoir returned them. He had bought one whom humanity did not allow him to return, as he was liable to die on the way; he died a few days later at Sr. Desillets' of a pulmonary affection followed by a flux, which terminated his life notwithstanding all the remedies and nourishment furnished, which evidently denotes an incurable malady. The said negro declared that those of his nation were attacked by this malady and had been sent here, on account of this infirmity, which is habitual in Martinique, wherefore Sr. Desillets having made this purchase on the good faith of M. Philip, who in such a case was answerable for them, the buyer thinks that he has a right to refuse payment for the dead negro, but he has not refused payment for the two others and for the little negress. This has been acknowledged several times by Sr. Philip before Sr. Dumanoir, Sieurs Milhet and Riviere; what will condemn Sr. Philip before the Council is to have retaken one of the negroes remitted to him by M. Dumanoir, following the conditions. The presumption serves well the inhabitants of Santo Domingo and Martinique, who detach from the negroes and the workshops but these to send them to be sold in this Colony. It is plausible to believe that the person who sent them here ignored their malady; they should have notified the buyers of their defectuosity, not to surprise or deceive them. Thus several small plantations have been ruined by buying several negroes who die shortly afterwards or become invalids, and are but a burden. It is necessary to pass a ruling to prevent frequent surprises by the inhabitants of Santo Domingo and Martinique on the negroes sent here. There was a condition, usually used in commerce: "the loss of the negro is for the vendor". Negroes are refused merchandise when there are conditions stipulated, and if there are defective effects or damaged ones the conditions become a law. The Council is asked to note that the two remaining negroes and the small negress cost M. Desillets 3300 livres, which sum in letters of exchange is worth at Martinique 4950 livres, thence the dead negro has been paid, even with profit, by the value of this specie.

It has been seen that M. Desillets could not send the negro back to M. Philip, for fear of his dying on the road, wherefore he prays that he be discharged of the payment of the said negro, owing to the verbal condition of the slaves being attacked with some habitual or unknown sickness, and moreover to condemn Sr. Philip to costs, as he has refused to pay him the price of the two others and the small negress.

Document stained and badly torn.

(To be continued)

INDEX TO THE SPANISH JUDICIAL RECORDS OF LOUISIANA

LIX.

September, 1783.

(Continued from July, 1938, Quarterly)

By LAURA L. PORTEOUS.
With Marginal Notes by Walter Prichard

Spanish officials appearing in this installment:

Esteban Miro, Colonel of the Fixed Regiment of this Place and Governor, ad interim, for this Province.

Martin Navarro, Intendant General of this Province and of the Royal Treasury.

Alcaldes: Francisco Maria de Reggio; Francisco Jose Le Bretton D'Orgenois; Joseph Orue (1786).

Escribanos: Fernando Rodriguez; Rafael Perdomo.

Attorneys: Francisco Broutin; Pedro Bertoniere.

Juan Doroteo del Postigo y Balderamma, Auditor of War and Assessor General of this Province.

Nicolas Fromentin, Deputy Sheriff.

Luis Liotaud, Official Taxer.

Nicolas de Lasize, Commander of the Post of Pointe Coupée.

Appraisers: Jose Adrian de la Place; Andres Wackernie.

Witnesses: Santiago Lemaire; Luis Laprut; Salbador Lotedo; Antonio Mendes; Manuel Ximenes; Santiago Monlon; Juan Carriere; Claudio Chabet; Esteban Barre; Guillermo Guignan, Mauricio Rondino; Basilio Ximenes; Manuel Joseph Ramos; Joseph Ramon de Diliz; Pedro Catain; Pedro Acher; Pablo Assemard; Lorenzo Rebequy; Juan Pedro Esmiol; Joseph Becat; Phelipe Guinault; Francisco Lioteau.

September 2, 1783.
Juan Soubie vs.
Pablo Lacou(r)
Dubourg.
No. 3294. 17 pp.
Courts of Alcaldes Francisco Maria de Reggio and Joseph Orue.
No Assessor.
Escribano,
Fernando Rodriguez.
To collect a debt.

This suit to collect a debt proceeds in the usual way at first, the Court issuing a writ of execution against the plantation of the debtor when he refuses to pay the debt. However, before the obligation was discharged, the debtor died and the Curator of his succession attempted to have this obligation placed on the same footing as other claims against the succession; and the creditor had to secure a decree from the Court to the effect that his claim was a preferred one against the succession of the debtor and should be paid in preference to other claims. Before a final settlement of the claim was made the creditor had also died, and in 1787, four years after the suit had been brought, the debt was paid to his succession.

The plaintiff present two notes, one for 200 and the other for 500 pesos, both dated September 2, 1782. With these notes as a basis for his claim, he states that it is evident from the above exhibits that the defendant owes him 700 pesos. The date of maturity has passed and although he has made several attempts to collect, he has been unable to do so. Therefore he prays to have his opponent, under oath and without delay, verify his indebtedness. Alferez de Reggio rules: Let the defendant acknowledge, swear and declare, as has been requested, (the taking of his deposition) to be entrusted (to the Escribano), and done deliver it to the Court. Fernando Rodriguez reports that he went to look for Pablo Dubourg so as to notify him of the foregoing decree and was informed that he makes his home on his plantation.

Writ of Citation.

Juan Soubie then petitions for a Writ of Citation. Francisco Maria de Reggio orders this Writ issued and entrusted to some competent person for delivery. A marginal note specifies that the Writ which was ordered has been issued. This is followed by the Writ of Citation, which reads: By decree rendered by Señor Don Francisco Maria de Reggio, Alferez Real, Regidor Perpetuo, acting as Alcalde, dated this day, it is ordered that any competent person notify Pablo Dubourg to appear in the Office under my charge, so as to be made acquainted with a certain decree. New Orleans, September fourth, one thousand seven hundred and eighty three. (Signed) Fernando Rodriguez, Escribano Publico. Nicolas Fromentin, Deputy Sheriff, reports to the Court, in these words: In the city of New Orleans, on the sixth of September of one thousand seven hundred and eighty three, I, Nicolas Fromentin, Deputy Sheriff, went to Pablo Dubourg's plantation, one half league distant from the city, on the other side of the River, and notified him of the foregoing Writ. (Signed) N. Fromentin, before Fernando Rodriguez. The next entry, given in part, reads: I, the Escribano, in virtue of the commission conferred upon me, received Pablo Dubourg's oath, and he, upon seeing the two notes, declared the signatures to be his and that he owes the amounts stipulated therein.

The Plaintiff prays for a Writ of Execution.

The plaintiff petitions, saying that according to the defendant's declaration, he owes the 700 pesos, therefore he prays for a Writ of Execution against his person and estate for the said amount, its one-tenth and costs. Alferez de Reggio decrees: Issue a Writ of Execution, in favor of Juan Soubie, against Pablo Lacou(r) Dubourg for the sum of seven hundred pesos, its one-tenth and costs. A marginal note specifies that the Writ was issued and delivered to the party. The Writ reads: The Sheriff of this city, or his Deputy, must require Pablo Lacou(r) Dubourg to pay Juan Soubie, immediately, the sum of seven hundred pesos, because it is evident he owes the money and if he does not give and pay at once, take execution against his person and property sufficient to satisfy the said sum, its one-tenth and costs, which must be placed in the Public Depository, at the disposition of this Tribunal, by sentence rendered, dated this day, thus I have ordered it. New Orleans, September the twenty seventh, of the year one thousand seven hundred and eighty three. (Signed) Francisco Maria de Reggio, and Fernando Rodriguez. Nicolas Fromentin, Deputy Sheriff, reports to the Court that in accordance with the foregoing Writ, he went to Pablo Dubourg's plantation and because he has not paid the seven hundred pesos, he seized the said plantation.

The case is resumed in May, 1784.

Nothing further is done until May 28, 1784, when the plaintiff presents a petition averring that the Succession of Pablo Lacour Dubourg owes him 700 pesos. According to a decree of the Court, his property was seized to pay this amount. In the interval, Dubourg has died and an inventory has been made of his estate. This judgment, rendered, is pending, and he should be paid immediately, because the seizure was made to obtain payment for his claim by definitive sentence. Therefore, considering that the estate has been sold, he prays the Court to order that his claim be satisfied from the sum produced by the sale of the property of the said succession, since it has the same force as a sentence, or definitive decree, such as a public written document. Alferez de Reggio rules to send the above petition to the Curator of the minor heirs of Pablo Lacour Dubourg.

Francisco Broutin, the Curator, answers.

Francisco Broutin, Curator to the Dubourg minors, answers that the said sum was not acknowledged, nor declared by the deceased, although at the time of his declaration he was in good health and did not die until some time afterwards and was not ill for longer than four or five days. This amount that Mr. Soubie claims must be filed with those of the rest of the creditors, since it is not a privileged debt. Therefore, he prays that the plaintiff be ordered to join his demand to that of the other creditors so as to receive justice in the definitive sentence that

will be rendered for the benefit of all claimants. The Court orders this petition sent to the widow (Dubourg.)

Pedro Bertonière answers for Widow Dubourg.

Pedro Bertonière, Public Attorney, Testamentary Executor and guardian of the estate of the late Pablo Lacour Dubourg and defender named for Celesta Paris, his widow, in the suit prosecuted by Juan Soubie against the estate to collect a debt, answering the petition that has been delivered to him, says: He has nothing to allege against what has been set forth by the Curator ad lites of the minor children of the deceased, considering that his representation conforms to law. Therefore, he prays to have the Court sentence in accordance with what the Curator requests. Alferez de Reggio receives the above for future ruling, which is rendered on June 19, 1784, in these words: Whereas, with the Writ of Execution issued in favor of Juan Soubie, against the estate of Pablo Lacour Dubourg, on page 102, the plantation belonging to him was seized, on the reverse side of the said page, for the sum of seven hundred pesos, which he owed. For this reason the said plantation was encumbered and obligated to pay this debt, which was sold for the benefit of his creditors. Let the said Juan Soubie be paid from the product of it and not from the other property, the sum mentioned above, the seven hundred pesos, upon giving for them a receipt in due form, considering that this debt is privileged. This decree is rendered June 19, 1784.

This suit is resumed in May, 1786.

On May 4, 1786, Anrrieta Regne, widow of Juan Soubie, petitions Joseph Orue, Senior Alcalde, saying that in the proceedings of the Concursus of Creditors of Pablo Lacour Dubourg, the latter's estate owes her 700 pesos which was ordered paid with preference and without any discrimination, according to a decree rendered by Francisco Maria de Reggio, late Alcalde of this city; this amount, however, was never paid, because they did not have the funds then to satisfy it. Considering that at the present time certain debts owed to the said succession have been collected, which are now in the possession of Pedro Bertonière, she prays the Court to order him to pay her from these funds. Alcalde Orue receives this petition for future decision, which is rendered May 11, 1786. Whereas: Let the decree of June 19, 1784, rendered by Francisco Maria de Reggio, late Alcalde of this city, appearing on page 107 of the first copy book of the Concursus of Creditors of Pablo La Cour Dubourg, be fulfilled and effectuated.

Mrs. Soubie receipts for her husband's debt.

Mrs. Soubie receipts for her husband's debt, on May 11, 1786, before the Escribano, wherein she

states that Pedro Bertonière, Testamentary Executor and Guardian of the estate of the late Pablo Lacour Dubourg, has paid her the sum of seven hundred pesos, which the said Succession owed and was ordered to pay, by decree dated this day, rendered by Joseph Orue, Senior Alcalde of this city for His Majesty. This sum she acknowledges to have received to her entire satisfaction and grants a formal receipt for same, thus it is executed and signed, the witnesses being Santiago Lemaire, Luis Laprut and Salbador Lotedo, residents of this city. (Signed) Widow Soubie.

Costs of the case are taxed at 43 pesos, 3 reales, by Luis Lioteaud, on May 21, 1787.

[Translator's Note: The documents of this case were evidently, at one time, filed with the suit, Concursus of Creditors vs. Pablo Lacour Dubourg, because the first 13 pages bear two numbers, namely, 1 to 13 and 95 to 107.—L. L. P.]

September 2.

Criminal Proceedings. Juan Bautista Macarty vs. Pedro Brousard y Correos.

No. 3355. 7 pp.

Court of Governor Esteban Miro.

No Assessor.

No Escribano signing.

This suit is of interest to the student of the economic history of Spanish Louisiana, particularly for the information which it affords on the cattle trade between the Attakapas country and New Orleans in that period, and the difficulties encountered by the dealers engaged in that trade.

The first entry is a petition addressed to the Governor ad interim, by Juan Bautista Macarty, Official of the Company of Carabineers, wherein he sets forth that coming down from the Ata Kapas (Atakapas) to this Capital with a convoy of 180 oxen he was in danger of losing the entire herd through the imprudent audacity of one called Amand (Armand) Broussard and some other Acadians, conductors of the said convoy, in charge of a pirogue belonging to the petitioner, destined to transport provisions for the drovers of the said live stock and to serve for the different crossings that it would be necessary to make over the several rivulets and Bayous to be met on the road, and without the said pirogue it would have been impossible to complete the voyage, if the conductor of the oxen had not had the forethought to take a little canoe along for himself, as the large one would not have been enough for ferrying and he would have been liable to lose his drove, amounting in value to the sum of 4500 pesos, at which he had sold them. In the future, to prevent the grave prejudices that may arise, of so much interest to the public well being as well as for the debts he would have incurred, he prays His Lordship for justice, with all the rigor that the case demands, against the said Amand

and the other aggressors, and for the proof of what he has stated, he prays Governor Miro to order declarations made, concerning the act, by Joseph Thery, conductor of the live stock, the Indian, Pisana, Luis Prevot (Prevost) and those who accompanied him and witnessed what he has related, and that it pleases the Court to direct the Commander of Atakapas to cause the said aggressors to be sent to the city, so that the truth about what has taken place may be proven before His Lordship. In a secondary petition, for the greater proof of the act, he asks to have Antonio Patien, Laviolette and the others who accompanied Joseph Thery, summoned to make declarations upon the depositions given by those, who with the forenamed Broussard had attacked them. (There is no ruling to this petition and it is apparent that it was returned to the maker to be remodeled according to the requirements of Spanish Jurisprudence.—L.L.P.)

Juan Bautista Macarty presents a second petition.

The next entry is another petition filed by Juan Bautista Macarty, drawn up in the usual way, wherein he stated that his civil and criminal complaint against Amant Broussard and the other Acadians, whose names he does not know, because they intended to lead astray a convoy of oxen he was conducting to this Capital from the Post of Atakapas, under the command of Joseph Thery, who was placed in charge of the petitioner's pirogue destined to carry provisions for the drovers of the herd and to serve for necessary emergencies in crossing the small rivers and bayous along the line. Without this pirogue it would be impossible to make the voyage. Fortunately Thery had the foresight to ask for a small boat which he attached to the one stolen by them later, to help in case the large one did not suffice to ferry the oxen (across the streams). These animals were worth 4,500 pesos, the amount for which they had been sold, and without the proper means of transportation would have been an entire loss. Therefore, to serve as a punishment for those mentioned and as a correction to others, he prays His Lordship to impose upon them the penalties prescribed by law, in like cases, in consideration whereof he supplicates Governor Miro to demand that testimony be received for him, according to the tenor of this written petition. The Court rules: Let this complaint be admitted, inasmuch as it has place in law. The evidence which this party offers, in accordance with the tenor of the foregoing petition, must be received. Let the taking of the testimony be entrusted to (the Escribano), and done a decree will be rendered.

Testimony of the witnesses.

The testimony of the first witness, Joseph Thery, reads: When he was at the Post of Atakapas, ready to make the voyage to this Capital, with 180 head of live stock, he placed a regular

pirogue, at about two leagues away from the said Post, which he had for the purpose of supplying the herd. This boat was tied up at the Pass, where it should be; then he sent two men, Luis Prevot (Prevost) and a savage (Indian) Payana, to take charge. The witness, knowing the said pirogue was not sufficient to transport all the animals, bought another, which he took to the place where the first had previously been made ready. He sent four men, La Violette, Mr. Macarty's slave, Francisco, Bautista and Couspata, as rowers, to the Bayou. In the interval, Prevot and Payana returned to the Post, saying the pirogue was ready and tied to a tree that had fallen in the middle of the stream and lay nearly all the way across it. Then La Violette came back with the other three and told him they could not find the pirogue that had been left tied up, but that he, together with the men mentioned above, crowded the animals into the one he had brought with him to the Pass. Three or four hours later, the witness arrived at the crossing, for the Bayou, called Island of Cows, where he met La Violette, his three men and the little pirogue only, and seeing that there was no other way to continue the journey he determined, at all risk, to go on, because it was impossible to go back. He questioned La Violette about the first pirogue. The latter answered that he did not find it tied to the tree, as he was told, nor anywhere around. There was one below, but it was not the witness's boat. However, they continued the voyage, notwithstanding the labor caused by the lack of the pirogue, and at the end of three days they came to a Bayou called Maring(o)uin, or Mosquito, where they met a pirogue, containing three men who had come from the river, sent back by Amant Broussard, but it was useless because the oxen had already crossed and were on the banks of the river. These three men slept with those belonging to the witness's party. On the same night that they arrived, he questioned two of them, who were Acadians named Miguel Senpy and Come Le Blanc, whether they had not taken his pirogue. They said, no. He asked the third, called Nahuata, whether he had seen his pirogue. He answered, yes, Amant Broussard's people had taken it, on the latter's order and had put it inside of a larger pirogue to serve for emergencies and to transport the said live stock. Later that night, the Acadians said they were sure it was the same as the one the savage had stated was the property of the witness and that Amant Broussard had made use of it. This is the truth under charge of the oath he has taken.

Blank spaces left for other depositions.

A sheet of paper is left blank for Antoine Patin's testimony, and on the next page, numbered 4, is written: "and he signed to which I attest". (Signed) Antoine Patin. Further, another space is left blank, and on page 5 appears: "and the above-said Juan Bureau, called La Violette, Antonio Patin, Vicente

Roquigny and Luis Prevost declared the same and those who knew how to write signed, to which I attest." (Signed) Vinsent Roquigny.

Juan Bautista Macarty petitions again.

Juan Bautista Macarty restates his grievance. This is a repetition of his last petition. However, in a secondary request, he prays His Lordship to issue a Writ of Despatch in due form and send it to the Commander of the Post of Atakapas and Opelousas, empowering him to receive the declarations of Antonio Patin, La Violette and those who accompanied Joseph Thery, and any others who may have knowledge of the act. These Depositions to be made in accordance with the tenor of his written demand, and done order them remitted to this Tribunal. An unsigned decree reads: Issue a Writ of Despatch to the Commander of the Post of Opelousas and Atakapas so that he may put into execution what is requested in the foregoing written document, and when the declarations have been made remit all records closed and sealed to this Tribunal, through the hands of the present Escribano.

[Note: the case passes from the jurisdiction of the Governor General's Court to that of the Commander of Atakapas and Opelousas, who, when he has completed the taking of the necessary depositions, must send the records of the case back to the city Tribunal. If this was ever done, these papers are not filed with this proceeding, because the suit ends here.—L.L.P.]

September 3.

Proceedings brought by Fanchon, a free negress, against Pedro Bonne, to collect her salary.

Court of Governor
Esteban Miro.

No Assessor.

Escribano,
Rafael Perdomo.

This suit illustrates the legal procedure necessary to enable a free negress to collect the wages due her for sixteen years' service, when the contract drawn up between her and her employer had been destroyed by fire, the employer apparently endeavoring to take advantage of the accidental destruction of the contract. Before the case came up for trial it was compromised outside of Court.

Fanchon, a free negress, avers that Pedro Bonne, a resident of this Province, owes her 1920 hard pesos for the salary she has earned by her services during the 16 years she spent on his plantation, acting as house-keeper, at the rate of 10 pesos a month, in accordance with a contract drawn up by the abovesaid in her favor, and although she has reminded him several times to settle with her she has not been able to collect her money. And considering that she is now without the said written contract, because it was burnt in the fire that destroyed the house of Magdalena Fatin, a free negress, to whom she entrusted it. This is the only reason Pedro Bonne gives for refusing to pay her the salary she has legitimately earned. She prays that the above-

said be made to declare, under oath, before His Lordship, to the tenor of an interrogatorio which she will duly present, at the time he will make his declaration, and done deliver it to her for purposes that may be convenient to her. In a secondary petition, she prays Governor Miro to order the free negress, Magdalena Fatin, to declare, under oath, whether it is not true that she had in her possession the contract drawn up in her favor, by the defendant, wherein it was stipulated that he must pay her a salary, at the rate of 10 pesos a month, and that the said contract was burnt in the fire that destroyed her house. Governor Miro decrees: In the principal and secondary petitions, let them swear and declare to the contents as it is requested, and done let their declarations be delivered to her.

The next entry is the interrogatorio, to the tenor of which Pedro Bonne must be questioned, that Fanchon claims is of value to her in the suit she has brought against the abovesaid to collect her salary.

First: Is it not true that she, the said Fanchon, lived in his house?

Item, is it not true that she went there in the year 1764?

Item, is it not true that she did not leave it until the end of 1780?

Item, is it not true that she went to the said house in the capacity of (as is said in French, Gouvernante; in Spanish, Ama de llaves) housekeeper to take care of his house and instruct and watch over the conduct of his servants?

Item, is it not true that in this said capacity, he agreed to pay her a salary of 10 pesos a month and that he drew up a contract to this effect, which he signed with his hand, wherein it was set forth that he must pay her 10 pesos monthly?

A note stipulates that because the parties have compromised their suit extrajudicially, the foregoing decree is without effect.

September 9.

Executory Process.
Andres Mercenario
vs.
Francisco Aguiar.
To collect a debt.

No. 56. 6 pp.

Court of Governor Esteban Miro.

Three exhibits are filed to begin this Process. The first is a promissory note, dated March 29 (?) 1783, for 44 pesos, to be paid one month from date, signed Francisco Aguiar. The second reads: I, the undersigned, will give and pay to the order of Andres Mercinario, or to whoever will represent him, the sum of 320 hard pesos, the full amount due for goods supplied from his shop that have been delivered to

No Assessor.
Escribano,
Rafael Perdomo.

This case illustrates the legal procedure followed in collecting a debt due to a resident of New Orleans by a resident of Pointe Coupée, the debtor having been remiss in fulfilling his obligations and now allegedly about to depart for Spain, leaving this obligation unsettled. It also illustrates the relations between the local officials of the various posts in Spanish Louisiana and the central government of the colony in New Orleans, in the handling of claims against residents of one of the posts.

my entire satisfaction which he kindly let me have so I might go to seek my livlihood, with a contract drawn up, by which I must remit to the said gentleman, one half of the said sum during my voyage and the remainder at the end of two months, counting from date, and when convenient, in testimony whereof, I sign with my witnesses, Antonio Mendes and Manuel Ximenes. My witnesses also sign. New Orleans, March 18, 1783. (Signed) Francisco Aguiar, Antonio Mendes and Manuel Ximenes. The third is to the effect that I, the undersigned, shall and will pay to the order of Manuel Ximenes, the sum of 34 pesos, which I shall satisfy in one month's time, counted from date. This note is made and dated in New Orleans, March 18, 1783. (Signed) Francisco Aguiar.

Andres Mercinarios presents these three exhibits and sets forth that, as may be proven from the two notes accompanying this, Francisco Aguiar owes him 364 pesos which he lent to him to go in quest of a livlihood, with the understanding that he would pay the said notes, together with another for 34 pesos that he has paid to Manuel Ximenes for the said Aguiar, as the third note proves, which he also presents. The debt in full amounts to 398 pesos. Aguiar has not fulfilled his agreement and has absented himself from this city for four months and is at Punta Cortada (Pointe Coupée), where he lives, spending and trading with the effects that he furnished him, but has not had the politeness to answer the requests made for payment. It is impossible to put up with him any longer, because he intends to leave for the Kingdoms of Castile (Spain) very shortly. Therefore, may it please His Lordship to consider what he has related and order this written petition, the decree to be rendered thereon and the exhibits, enclosed with a Writ of Despatch, issued in due form and sent to Nicolas Lacise (de Lasize), Commander of the Post, so that he may cause the defendant to appear before him, immediately, and acknowledge his signature and conditions of the said obligations and render due satisfaction, and failing to do so, seize his property to the extent of the debt and sell it at public auction, and from the product pay the full amount of the debt and costs. Governor Miro decrees: The documents, to which he refers, having been presented; issue a Writ of Despatch, in due form, enclosing this written petition with its decision, and send to the Commander of the Post of Pointe Coupée, Nicolas Lacise, so that he may cause Francisco Aguiar to appear before him and acknowledge his obligations and demand payment of him for same, and if he

does not make a settlement, seize his property to the full extent of the debt, which must be sold at public auction, in case it is necessary. Let an account of the result of this proceeding be given this Tribunal, punctually. A marginal note stipulates that the Writ of Despatch, ordered by the foregoing decree, was issued on three sheets of paper and delivered to this party. In faith of which the Escribano attests. (Signed) Perdomo.

[Note: The originals of this suit are held in the Archives of Governor Miro's Court, and a certified copy made, on three sheets of paper, is sent with the Writ of Despatch to Pointe Coupée. The case then passes into the jurisdiction of the Tribunal of the Commander of the Post. If Nicolas de Lasize ever returned the cause to New Orleans, with the records of the proceedings that took place before him, there is no mention made of it here.—L.L.P.]

September 10.

Proceedings brought by Francisco Duran, to protest the demand made in Pensacola, for reimbursement for flour.

No. 12. 8 pp.

Court of Intendant Martin Navarro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

These proceedings, in which a former Spanish governmental official at Pensacola seeks redress for an alleged injustice done him in the settlement of his accounts at the time he relinquished his former post, illustrates the connections between the government of Pensacola and that of Louisiana and of Cuba in this period, after the Floridas had been wrested from England by Spain during the American Revolution. The issue presented involves difference between English and Spanish weights, and is complicated by the apparent confusion resulting from the conquest of Pensacola and its transfer from English to Spanish jurisdiction.

Francisco Duran, Chief Clerk and Comptroller of the Royal Treasury, Acting Treasurer for the City of Pensacola, Royal Official Elect for the Rio de la Hacha, with the greatest veneration, states to Your Lordship (Intendant General Martin Navarro) that on May 1, 1782, through the General Administration of Posts of Havana, came to hand, in duplicate, the Royal Order, dated October 5, 1781, which His Excellency Joseph de Galvez, Secretary of State and Secretary for the Indies, has deigned to send, wherein the petitioner was notified of his elevation to the said Official Clerkship, which promotion was made upon his request. The Governor of the City of Pensacola sent a copy of this Royal Order to Your Lordship. By Official Letter, dated May 22, it has pleased Your Lordship to order the Exponent to turn over his Ministry to Joseph Gomez de los Reyes. This order was carried into effect on June 10, 1782, with the intervention of the Governor, who decreed that all originals must be filed in the Royal Office and the petitioner given his respective certified copies for his own accounts, of the receipts issued by the Royal Treasury in part payment for the salaries received by the staff of that city, employed in the Royal Treasury

and Royal Hospital, and the disbursements for same and for the Branch of the Indies. The Governor wrote to consult Your Lordship for this decision, but did not receive an answer. Later he directed the petitioner to draw up the accounts for the credit and debit of the year 1781, for Antonio Lerin, Keeper of the Stores of Provisions. He, Duran, explained that the Keeper of the Stores was in good health, still in his employ and could render his own statement, but as a tribute of obedience to the Governor he would execute the part that belonged to him. To this Arturo O'Neil answered, saying that though the petitioner should rot, he could not leave that place until he had finished his accounting, and obliged him to receive the documents of the debit of the Keeper of the Stores, belonging to the latter's transactions for the year 1781 and October 1782.

The Exponent had resigned from the Ministry on June 10th, of that year, as official letters and several documents of the same date show, countersigned by the Governor, a Chief who would be Judge and one who had compelled the petitioner to give all the certificates for consumption of provisions for the last of November and the first of December of the year 1782. The Keeper of the Stores was summoned to testify relative to the year 1781, with nothing to be excepted concerning the Exponent, who had never intended to give short weights. An official letter from the Governor should have preceded the taking of this testimony, but no order, either verbally or in writing, was ever given for it. This informality has contributed no little to the detention of the Suppliant in Pensacola. The result of the drawing up of the said accounts shows a greater number of pounds of wheat flour than the Keeper of the Stores has in his custody. He wished to attribute a part of this shortage to a faulty adjustment of the scales, although it is palpably recognized that far from there having been any loss due to the said adjustment, there were excessive profits, because when the expedition ended the food stuffs in his warehouses were delivered to him by English weight, and these provisions were distributed by short Spanish weight. This is evident from the extensions made to the iron arcs which were added at the time of the adjustment of the scales of his warehouses.

What makes Lerin's malice the more apparent is that when the Governor decreed a new inventory must be taken of the food stuffs in his keeping, he produced six larger English weights, each one equal to 50 pounds Spanish, and it was by these that all commodities were weighed. However, it appears from the inventory drawn up by the English and Spanish Commissioners, when the city was conquered, that the barrels of flour weighed 260 pounds each, or 269 and 270 pounds English. These are the same weights that were exhibited in the suit brought against the petitioner and sent to Your Lordship's Tribunal. Antonio Lerin

calls each one 55 pounds Spanish and upon them he has founded his claim for the restitution of the 24345 pounds of flour that he says is a part of the shortage existing, falsely accusing the Exponent of having put this said amount of flour in his own warehouses, even though it is recognized that the shortage Lerin suffered in no way depended upon the difference between Spanish and English weights, but undoubtedly originated with the 473 barrels for which he does not give either account or reason. To exceed his comprobation is no explanation, because it is evident that the total credit belongs to the year 1781 for 2943 barrels of wheat flour, entered in the debit as 2470, and still existing at the end of the same year. After the taking of the new inventory, the pretext of making one barrel two is not worth the stratagem he uses, in allotting a little flour to each one to increase the number of barrels for his debit for the year 1782, although he does not stick strictly to and confine himself to the number written down in the new inventory, in addition to the amount known to have been previously distributed in a lawful way. Supposing each one of these barrels lacks at least 180 pounds net weight, this would make 85,140 pounds; add tc this the 24345 pounds he asks for the differences of weights, will give 109,485 pounds of flour, yet in the account rendered by the commission conferred by the Governor, the result balanced at 7509 pounds. Now if he must restore what Lerin has set down in his reckoning and declares and attests to be current, then it must be recognized that Lerin's delayed demand is from jactancy, since it was not made in due time, nor in the liquidation of the accounts of the Baker-Contractor, Christian Linker, and he did not at that time raise any objections to what it had pleased Your Lordship to order him, Lerin, to do, (namely, either) to distribute the 473 barrels in the safe keeping of the Royal Treasury, or replace the said balance in the Royal Warehouses.

From all the abovementioned, it is clearly proven that the petitioner is not obligated to indemnify the Royal Treasury for the 24345 pounds of flour that Lerin demands in the suit he has instituted. Moreover, the adjustment of the scales of the bakers of the Army of the city of Pensacola was not voluntary on his part, nor directed by him, but was ordered by Arturo O'Neille, Governor of same (against the advice of the one who presents this petition), owing to the complaints regarding the bread produce made by Gregorio Barrutia, Lieutenant of the Fixed Regiment of Infantry of the King, Miguel Pelaez, then Brevet Lieutenant Colonel and Captain of Grenadiers of the said Corps, and Antonio Boloña, Comptroller of the Hospital of the said city. All said produce was weighed on the scales of the Apothecary's Shop of the Royal Hospital. These were used because they are standard and exceed the Castillian weights, even though Gregorio Barrutia affirmed, before the Governor, that they were

the same as those of the Weight-Office of Madrid. Therefore, considering these sound arguments, the petitioner presents himself in Your Lordship's Tribunal and with due submission, in the best form that he can and must, sets forth that in order to obtain his desired purpose, that is to be freed from the innumerable and infinite vexations which he has had to suffer in that place where he could not use his rights, because Arturo O'Neill, Governor of that Station, had constituted himself Judge in the suit brought against him in this particular, wherein he is clearly the principal party.

For this reason, then, with due respect, he comes to your house and prays it may please you to remember that when the Exponent adjusted the scales from lesser to greater of the Bakery to that of the Apothecary's Shop (from avoirdupois to apothecaries' weight?), it was by verbal order of the Governor, who had, on several distinct occasions, gravely insulted the petitioner and had detained him in Pensacola, in continual and very superfluous occupations, not being willing to permit him to come to New Orleans, in spite of the repeated requests he made, obliging him to remain, principally in that city, deferring, with frivolous and ill founded pretexts, the authorization of the inventory of the papers and documents belonging to the Royal Office which he had surrendered to Joseph Gomez de los Reyes, pursuant to a decree rendered by Your Lordship. Although at the time of Reyes' recurrent and dangerous illnesses, during last February and March, the Exponent saw papers of importance, belonging to the inventory, tossed about on a table near Reyes' kitchen. He does not know who or what had caused his removal from the said Royal Office, because no objections had been raised, which obviates all assumption of animosity and discord.

Finally, the comprobation of the inventories of the papers was made by Gabriel Marin Pizarro and Reyes, who by then was in much better health, in the presence of the Governor, and was accepted by him. This comprobation was finished on the 14th of last April. No difference has resulted from the above other than to show two papers missing. Reyes used these, and both undoubtedly must be from among those belonging to the period of his management. However, he subjected himself to the injustice of making restitution for a real or supposed shortage of 24345 pounds of flour to the Royal Treasury, so as to curtail all and any proceedings consequent to the prosecution of the suit instituted against him on account of the differences of weights, which would have caused his further detention in Pensacola, where he was not only surrounded by incomprehensible and inexplicable hardships, anxieties and annoyances, confused and deprived of all satisfaction that the mercy of the King provides and reserves for all of lower rank employed in the Royal Treasury, but even lacked the necessaries for the decencies and essentials that belong to his Office, chiefly for

proper human food, as on numberless occasions he had nothing but dry bread to eat. This condition did not arise from either the virtue or the vice of the petitioner, but was due to the want of all means to procure food.

Therefore, to avoid all these deplorable inconveniences and to leave the tyrannical oppression that overwhelmed him, he settled the claim which originated more from a want of consideration (of true facts) then from a judicial investigation and was a violation of his own proper rights. For this said injustice he reserves the right to take action against the one concerned. On July 19th, of the current year, he paid this demand by turning over 131 barrels of flour of the best quality, each one weighing 186 pounds net, unloaded and stored in the Royal Warehouses of that place, now in charge of Joaquin de Ortega, in accordance with the respective orders of the Governor of same. The Exponent noted that nothing that had been done would serve to end his affairs pending, and although he had the highest admiration for Gabriel Marin Pizarro, he saw the great zeal with which he had begun to act on his arrival slacken, but did not know what to assume as the reason for his later inaction in despatching the Exponent's said affairs, who had never been able to obtain a certified copy of the inventory of the documents and papers drawn up and verified in the said act of comprobation. These records were locked up under two keys, Marin Pizarro retaining one and Reyes the other. They extracted and made use of the said documents, but the petitioner was not protected, since he was not summoned for the proceedings, nor had he been given certifications freeing him of the blame for the shortage of flour, nor had a decree been rendered, for an entire month, to the petition presented to this effect on July 18th, notwithstanding the importunities of the Exponent in his said petition made to Marin as well as to the Governor, into whose hands he had paid for the full amount of flour with a bill of exchange, dated the 23rd of the same month of July, given by Joseph de Cotilla, Captain of the Regiment of Havana, whose special favor the Suppliant had merited. Extreme severity was exercised in the seizure of his few belongings, as a result of the abovesaid suit, wherein he could not use his free will and the rights of innocent people who have been injured. His own clothes which he brought there were seized and removed from his house, and even his sword, that he was informed was not entered in the inventory and in the records of the proceedings remitted to Your Lordship's Tribunal.

On several separate occasions, for two consecutive months, he has demanded his rights and reclaimed his property, but up to the present hour nothing seems to have been done. He has never obtained the comprobation, revision, or acknowledgment of the documents of his debit for the months or years belonging to his administration of the funds he held while in that said

place, although he had petitioned an infinite number of times. These are some of the reasons, without stipulating innumerable others that may be passed over in silence, which have made it necessary for the petitioner to leave that city and present himself personally in this, notwithstanding the hardships he has suffered on the voyage, during which it has pleased God to free him miraculously from death, he has obtained his desired purpose and has arrived here, where he appears humbly before Your Lordship and prays it may please you to order that he be indemnified for the liability incurred in favor of the Royal Treasury for the 24345 pounds of flour that he was illegally obliged to restore to the Royal Warehouses, which he did on July 19th, of the current year, as has been stated, packed in 131 barrels placed to the credit of the Keeper of the Warehouse, for the just reasons he has set forth. Also that the Principal Treasurer of the Army and Province take cognizance of the original documents that exist in his possession, relative to the time of his management, and that he make suitable use of them, giving the petitioner certified copies of them for his adequate defense and the presentation of his accounts. This is the grace he hopes to receive from the equity and innate goodness of Your Lordship. New Orleans, September 10, 1783. (Signed) Francisco Duran.

On September 20, 1783, Martin Navarro, on Licenciado Postigo's advice, decrees: The petition having been presented by this party, let the Principal Treasurer of the Army and Province of Louisiana give him certified copies of the documents he delivers. And for what concerns his defense for the restitution of the twenty four thousand three hundred and forty five pounds of flour which he was called upon to restore to the Warehouses for Provisions in Pensacola, as was ordered by judgment pronounced by the Tribunal of that city, in the proceedings prosecuted against the petitioner, filed in the Office of the Escribano of the Government of the said Place, he must take action for his pretentions in the Superior Court of Accounts for the Island of Cuba, before which he must render an account for the time of his administration.

[Translator's Note: The record ends here. It is apparent from what Francisco Duran says, that action was taken against him in Pensacola for a shortage of flour, found at the time he resigned his ministry. He was called upon to make restitution of 24345 pounds of flour that was missing. This shortage the petitioner attributes to Antonio Lerin, who has failed to account for 473 barrels. Duran feels himself unjustly treated and makes a personal appeal to the Intendant General for redress. This appeal is long drawn out and at times is not clear because the maker refers to other transactions, copies of which have been sent to Martin Navarro but which are not available now.—L.L.P.]

September 11.

Proceedings brought by Miguel Fortier, to be granted a permit to bring a ship belonging to him from the Kingdom of France, loaded according to the Royal Cedula that treats of Free Trade.

No. 63. 6 pp.

Court of Intendant Martin Navarro.

Escribano, Rafael Perdomo.

This case illustrates the legal procedure necessary to enable a resident of Louisiana to obtain permission to bring to that colony a cargo of goods from France, in a ship owned by him, in conformity to the provisions of the Spanish Royal Order which granted the privileges of free trade between France and Louisiana at this period. Since the case involved commercial matters, it came before the Court of the Intendant.

Miguel Fortier petitions the Intendant General, saying: Availing himself of the benefits conceded in the Royal Cedula for Free Trade, issued by His Majesty, in favor of this Colony, he has determined to bring out a ship belonging to him, from the Kingdom of France, loaded under the conditions prescribed in the said Decree. He prays to be granted a permit to do so. Martin Navarro rules: Let this party prove his residence and settlement in this Colony, and he will then render judgment in accordance with law.

The petitioner presents three witnesses, Mauricio Rondino, Basilio Ximenes and Manuel Joseph Ramos, and each, in a separate declaration, sets forth that he has known Miguel Fortier for more than ten years. He has settled in this Province with all of his family. They are certain of this because they have treated with him and made contracts with him on many occasions, therefore there is no doubt in their minds that he is a resident and merchant of this Colony.

Miguel Fortier then petitions a second time, stating that in consequence of his previous representation, it has pleased His Lordship to order him to prove his residence here. In obedience to this decree, he has produced competent testimony, and prays the Court, upon seeing it to judge in conformity to law and to grant the favor and permit he requests, interposing, for its greater validation and force, his authority and judicial decree, according to and as it may have place. And may it also please His Lordship to order that he be given a certified copy of these entire proceedings, in public form, in a way that may have credit, and he will promptly pay all just and due fees. Intendant Navarro received this petition, and later decrees: Whereas, and with attention to the merit which results from the testimony Miguel Fortier has supplied, whereby he has fully proven his residence and settlement in this Colony, His Lordship said that now he approves and does approve, and that for its greater validation and force he interposes and does interpose His Authority and judicial decree conceding to him, also, the permission he solicits in his first representation. Let the costs be taxed by the present Escribano, who must give him the certified copy

he asks. Costs are taxed at 5 pesos 2½ reales. A note specifies that there must be included in this taxation, an item of 10 reales, which was omitted, and credit for same must be given to the petitioner's agent. Rafael Perdomo attests to and signs this note.

September 11.

Proceedings brought by Carlota Fazenda, to be conceded a permit to make an appraisement of six slaves belonging to the succession of her late husband, Mr. Delino.

No. 48. 4 pp.

Court of Governor Esteban Miro.

No Assessor.

Escribano, Rafael Perdomo.

This case illustrates the legal procedure involved in obtaining an appraisement of slaves belonging to a succession, the widow of the deceased, who has possession of said slaves, desiring their appraisal so that she may know the exact amount for which she is legally responsible, representing the actual value of the said slaves.

The petitioner sets forth that at the death of her husband, Mr. Delino, she was left the usufruct of a donation of six negroes, namely: Loa, aged between 48 and 50, Bautista, aged the same, Leville, about 60, Carlos 64, Balor 32, and Victoria 40. She wishes to be credited with the legitimate worth of the abovesaid slaves so that she may not, at any future time, be called upon to pay a greater sum than their appraised value, in case she should be held responsible for them. Therefore, she prays that Jose Adrian de la Place and Andres Waukerny, Public Appraisers of this city, make an estimate of the negroes, before the present Escribano, notifying these gentlemen, in the customary way, for their acceptation and oath, and done give her a certified copy of these entire proceedings, authorized in public form, in a manner that may have credit, and she will promptly pay all just and due fees. Governor Miro rules: Proceed to the appraisement that this party asks; let it be made by the appraisers she names, who must be notified so that they may accept and take oath in due form.

Adrian Joseph de la Place and Andres Wackernie are notified, and each in a separate proceeding accepts and takes oath to appraise the six slaves.

The estimate is made as follows: Loa, 350 pesos; Bautista, 300 pesos; Leville, 250 pesos; Carlos, 250 pesos; Balett, or Balor, 350 pesos; Victoria, 300 pesos. This appraisement is signed by Adrian Joseph de la Place and Andres Wackernie, before Rafael Perdomo. In the margin de la Place receipts for 11 escalins (reales). This ends the record.

September 15.

Proceedings instituted by Francisco Luis Delagroue, to

Francisco Luis Delagroue presents himself before the Intendant General and says that he has some money owed to him by

be granted a permit to have a ship brought from the Kingdom of France by Agustin Beraud.

No. 16. 8 pp.

Court of Intendant Martin Navarro.

No. Assessor.

Escribano, Rafael Perdomo.

This case illustrates the legal procedure followed by a resident of Louisiana, in order to obtain permission to purchase a ship in France, through an agent, with funds due the petitioner there, and to bring the vessel to Louisiana. The proceedings come before the Court of the Intendant, since they involve commercial affairs.

several persons living in France, and as Agustin Beraud will shortly make a trip to that Kingdom, he prays that it please the Court to concede him a permit so that he may commission the said Beraud to buy a ship for him in any Port of France and bring it to this city, either loaded or empty. Intendant Navarro rules: Let this party prove that what he represents is true, and a decree will be rendered.

The petitioner presents a second request, to the effect that he has been notified of the ruling of the Court, and in obedience to same, may it please Intendant Navarro to admit the testimony of the witnesses he will present, who will take oath in due form, according to law, and without delay and declare to the particulars stated in his first petition, and done deliver their declarations to him so that he may promote whatever may be convenient to him. Martin Navarro rules: Let the testimony that this party offers be received, and let the testimony be taken by the present Escribano, and done deliver as requested.

The witnesses, Santiago Monlon, Juan Carrière and Claudio Chabet, each in a separate deposition, sets forth that it appears from trade, contracts and the conversations they have had with Mr. Delagroue that there are several persons, in the Kingdom of France, who owe him different sums of money.

Francisco Luis Delagroue presents a third petition, to the effect that in obedience to the Court's first decree he has produced the testimony of competent witnesses, and therefore he prays to be granted the permit, previously requested, interposing his authority and judicial decree for its greater validation and force, as may have place in law, also ruling that a certified copy of these entire proceedings, authorized in public form, in a manner that may have credit, be delivered to him and he will promptly pay all just and due fees. Intendant Navarro receives the above for future ruling, which is rendered on September 18, 1783, in the following words: Whereas, and with attention to the merits which result from the testimony Francisco Luis Delagroue has presented, by which it is fully proven that he has debtors in the Kingdoms of Europe, various amounts, by different individuals, His Lordship says from now he approves and does approve, and for its greater validation and force he interposes

and does interpose his authority and judicial decree. He also concedes him the permit which he requested in his first representation. Let a taxation of costs be made by the present Escribano, and let the petitioner be given the certified copy he asks.

Costs are taxed at 9 pesos 3 reales, on September 18, 1783.

September 15.

Proceedings brought by Juan Pallet, to be granted a permit to sell various movables at Public Auction.

No. 24. 28 pp.

Court of Governor Esteban Miro.

No Assessor.

Escribano, Rafael Perdomo.

This case illustrates the legal procedure involved in procuring permission to sell a variety of perishable merchandise in New Orleans at public auction, as well as the formalities attending such an auction. The student of the economic history of Spanish Louisiana will find valuable information as to the type of commodities sold at the auction, with the prices at which they were purchased. Since the proceeding concerned a local sale, and was not connected with the external commerce of the colony, the proceedings came under the jurisdiction of the Court of the Governor instead of that of the Intendant.

Juan Pallet, signing himself Paillet, petitions, saying that he has on hand various kinds of merchandise susceptible to deterioration, and in consequence they must be disposed of immediately, otherwise he will suffer great losses. Therefore, may it please the Court to grant him a permit to sell them at auction and also to have the sale proclaimed in the customary places of this city. Governor Miro rules: As it is prayed, but it must be well understood that the auction may not be held except in the presence of one of the Escribanos Publico del Numero of this city, who will not be entitled to more fees than those established by strict justice for assistance and writing.

The auction was held on September 16th, in the presence of Rafael Perdomo and the owner of the goods. The articles offered for sale by the Public Crier, and knocked down to the highest bidder, are: One lot of a dozen hats brought 31 pesos, sold to Julian Vienne; another of 15, the same, went to Pedro Labar, for 42 pesos 4 reales; 2 dozen pairs of cotton stockings, Pedro Labar, purchaser, for 18 pesos 2 reales; 2 dozen, the same, to Francisco Carcasses, for 16 pesos 4 reales; 2 dozen handkerchiefs sold to Carcasses for 13 pesos 6 reales; 2 dozen pairs of women's stockings went to Lacosta for 13 pesos 4 reales; 4 casks of rum to Mr. Icaro for 60 pesos; another 4, the same, to Mr. Icaro for 61 pesos; some fancy goods in a small trunk, to Mr. Braquier for 20 pesos; 2 small trunks to Antonio Aguiar for 12 pesos; 1 coat and vest, sold to Mr. Beltran for 5 pesos 4 reales; 3 dozen pairs of thread stockings knocked down to Guillermo Marre for 29 pesos; 3 dozen pairs of stockings sold to Mr. Marre for 29 pesos; 2 small trunks went to Luis Camuir for 6 pesos 4 reales; 2 coats to Mr. Grandpre for 5 pesos 2 reales; 1 coat, 1

red silk vest, 1 white waistcoat, and 4 handkerchiefs to Mr. Dubua for 8 pesos; 1 trunk filled with various things such as pomade tallow, soap, small bottles of scented water, sold to Mr. Grandpre for 12 pesos 5 reales; another entry, the same, to Mr. Ortari for 15 pesos 4 reales; 2 dozen caps to Mr. Junio for 10 pesos 4 reales; 2 small trunks to Mr. Balder for 6 pesos; another entry of 2 small trunks to Mr. Pastui for 6 pesos 2 reales; 26 pieces of nankeen, to Mr. Marre, for 27 pesos 4 reales; 2 small trunks to Mr. Beltran, 6 pesos 5 reales; 1 barrel of English shoes to Mr. Labar for 6 reales; 6 barrels of Brandy to Mr. Marque for 95 pesos; several pairs of shoes in a barrel, to Mr. Grandpre for 5½ reales; another barrel, the same, to Mr. Ortari for 5 reales; 5 pairs of shoes of the same quality sold to Mr. Beltran for 4 pesos; 4 tin plate chests to Mr. Blanc for 84 pesos; 4 other chests to Mr. Blanc for 84 pesos; 2 barrels of wine to Bartolo Reynal, for 14 pesos 6 reales; 2 others, the same, to Mr. Le Blanc for 17 pesos; 1 other, the same, to Angel Peran for 12 pesos 4 reales; 3 barrels, the same, to Joseph Chico for 26 pesos; 20 cheeses to Bartholome Reynal for 10 pesos; 20 of the same quality to Agustin Tedrian for 10 pesos; 20, the same, to Joseph Chico for 10 pesos; 20, the same, to Mr. Samar for 10 pesos; 22 white cotton caps to Mr. Jordan for 5 pesos 4 reales; 11 pairs of cotton stockings to Mr. Cadet, 7 pesos; 1 glass lantern to Mr. Ortari for 14 pesos; 1 barrel of paint to Mr. Jordan for 2 reales; another barrel, the same, to Mr. Jordan for 2 reales; 50 trinkets for women's head-dresses to Mr Grandpre for 20 pesos 1 real; 1 barrel of hatchets to Mr. Partue at 4 reales; 1 barrel of hoes to Mr. Grandpre, at 13 reales each; 2 dozen frying-pans to Mr. Le Blanc at 17 pesos 4 reales; 1 barrel of hatchets to Mr. Santana, for 2½ reales each; 2 dozen handkerchiefs to Joseph Navarro for 11 pesos 4 reales; 20 blue woolen great-coats to Agustin Tedrian for 20 pesos; 20 others, the same, to Agustin Tedrian for 19 pesos; 1 barrel of salted meat to Mr. Dubuas for 4 pesos; 1 barrel, the same, to Agustin Fabre for 4 pesos; another of the same quality to Mr. Ortari for 3 pesos 4 reales; another, the same, to Mr. Ortari for 3 pesos 4 reales; another barrel, the same, to Mr. Blanzar for 3 pesos 4 reales; another to Francisca Almonaster for 3 pesos 4 reales; another, the same, for 3 pesos 4 reales; another, the same quality, to Mr. Milon for 3 pesos 4 reales; 2 barrels of damaged meat to the negress, Maria, for 1 peso 2 reales; 2 barrels of white wine to Mr. Pallet for 4 pesos; 2, the same, to Mr. Pallet for 4 reales; 20 blue woollen coats to Agustin Tedrian for 18 pesos; 24 dozen packs of cards to Antonio Aguiar for 24 pesos. This ends the sale.

Juan Pallet then petitions, saying that the sale has been completed, under the proper formalities, therefore may it please the Court to approve it in all its parts and for greater force to

interpose his authority and judicial decree. Governor Miro receives this petition for future ruling, which is rendered on September 22, 1783, in these words: Considering what has been represented by Juan Pallet in his last written petition, His Lordship says that in consequence of the aforesaid auction having been held under the customary formalities and with the assistance of the aforenamed Juan (Pallet), from now, in the best form that may have place in law, he approves and does approve (the sale), interposing his authority and judicial decree, for its greater validation and force.

The petitioner then asks for a taxation of costs. Governor Miro orders a taxation of costs made by Luis Liotaud, who must be notified so as to accept and take oath in due and proper form. Liotaud is notified, qualifies and taxes costs at 18 pesos 7 reales, on December 13, 1783.

September 15.

Proceedings brought by Juan Carrière, to be granted a permit to purchase, through his agent, a vessel, in the Port of Bordeaux and to bring a cargo in it to this Port.

No. 161. 10 pp.

Court of Intendant Martin Navarro.

No Assessor.

Escribano, Rafael Perdomo.

This case illustrates the procedure followed by a resident of New Orleans in securing permission to purchase in France, from the proceeds of his inheritance there, a ship and to bring a cargo in it to Louisiana. The proceedings came before the Court of the Intendant, who has charge of commercial affairs of the colony.

Juan Carrière sets forth, in his first petition, that he has a paternal inheritance in Bordeaux, and as Bertran Lasaue is just about to make a voyage there, he prays to be granted a permit to commission him to buy, for his account, with the interest on the principal of the said inheritance, a vessel, loaded with produce from that Port, to be shipped in it to this Province. Intendant Navarro rules: Let this party prove what he represents, and a decree will be rendered.

Pursuant to the above decision, Juan Carrière again petitions, asking to cite witnesses who will give the necessary testimony, and done deliver their declarations to him for purposes convenient to him. Martin Navarro decrees: Let the testimony that this party offers be received, entrust the taking of it to the present Escribano, and done let the declarations be delivered to him.

The witnesses are Esteban Barre, Claudio Chabot and Guillermo Guignan, and each in a separate deposition states that in consequence of the long friendship existing between Mr. Carrière and those testifying, it is evident that he has a paternal inheritance, which amounts to a considerable sum. This money

is invested in Bordeaux. Chabot and Guignan say that Carrière has shown them documents to prove the existence of this inherited estate in Bordeaux.

Juan Carrière again petitions, saying that according to a decree previously rendered, he was ordered to prove his statement and a judgment would be handed down. He has produced competent witnesses and prays the Court upon seeing their testimony to decide in conformity to his first request and grant him the permit which he asks, and to interpose his authority and judicial decree, for its greater validation and force, inasmuch as it may have place in law, and also to rule that he be given a certified copy of these proceedings which he prays to have authorized in public form, in a way that will have credit, and he will promptly pay all just and due fees. Intendant Navarro receives this petition and later renders judgment to the effect that: Whereas, and attentive to the merits that result from the testimony that Juan Carrière has supplied, by which he has fully proved that he has received an inheritance in the city of Bordeaux, His Lordship says that from now he approves and does approve (his request), and for its greater validation and force he interposes and does interpose his authority and judicial decree, conceding to him, also, the permit he solicits by his first representation. Let the costs be taxed by the present Escribano, and let him be given the certified copy he asks. Costs are taxed at 10 pesos, by Rafael Perdomo, on September 18, 1783.

September 18.

Proceedings brought by Miguel Fortier, asking to permit the sale of a Brigantine, The Azard (Hazard).

No. 21. 17 pp.

Court of Intendant Martin Navarro.

No Assessor.

Escribano, Rafael Perdomo.

This case illustrates the legal procedure involved in obtaining permission to sell a ship in New Orleans. After the alleged owner furnishes proof of ownership, the Court grants permission for the sale of the vessel. Since it pertains to a commercial transaction, the case comes before the Court of the Intendant.

Miguel Fortier petitions, saying that he wishes to buy a Brigantine in this Port, and finding one for sale, owned by Santiago Dupui (Dupuy), named the Azard, in charge of her Captain, Juan Bonome, therefore he prays for a permit so that he may proceed to make the purchase. Martin Navarro rules: Let the vendor prove his title to ownership and a decree will be rendered.

Santiago Dupui answers, stating that he was notified of the foregoing decree, in obedience to which he begs to say that he bought the Hazard, in Bordeaux, from Mr. Clements, without any formality other than the mutual consent of the owner and himself, because that was the only proceeding necessary in the case of such sales. He prays the Court

to receive the testimony of the witnesses he will present, who, under oath, in due form of law, will declare that they know for a certainty that the Brigantine belongs to him and was bought for his account in Bordeaux. Intendant Navarro rules: Let the testimony be received that this party offers, and let the taking of it be entrusted to the present Escribano, and done deliver their depositions to Miguel Fortier.

The witnesses, Joseph Ramon de Diliz, Captain of the Frigate, the Espiritu Santo, Pedro Catain, Mate of the abovesaid Frigate, and Pedro Acher, her Second Captain, each in a separate declaration, before Escribano Perdomo, sets forth that he knows that the Brigantine, the Azard, belongs to Santiago Dupuy, because he was present when he bought it in Bordeaux from Mr. Clements, and that the transaction was without other formality than the mutual consent of the two parties, according to the customs of that Port, where it was loaded for the account of the purchaser and made the voyage to this Province.

Miguel Fortier then petitions, averring that the taking of the testimony of the witnesses presented by Mr. Dupuy has been completed, and in consequence of the merits resulting, may it please the Court to approve it in all its parts, and to interpose its authority and judicial decree, for its greater force and validation, ruling also that the present Escribano proceed to the drawing up of the written Act of Sale for the said Brigantine, and that he be given a certified copy of these entire proceedings, authorized in public form, in a way that may have credit, and he will promptly pay all just and due fees. Intendant Navarro receives the above, for future decision, which is rendered on September 25, 1783, in these words: Whereas, in attention to the merits that result from the testimony supplied by Santiago Dupuy, whereby it has been fully proven that he bought the Brigantine, named the Hazard, now belonging to him, from Mr. Clements in the city of Bordeaux, His Lordship says that from now he approves and does approve, and for its greater force and validation he interposes and does interpose his authority and judicial decree. Let a taxation of costs be made by the present Escribano, but before doing this he must also draw up the Act of Sale that this party requests. Let him be given a certified copy, upon the payment of all just and due fees.

Costs are taxed at 10 pesos by Rafael Perdomo, on September 25, 1783.

September 23.

Joseph Cultia vs. Andres Fernandez Leal and Juan La Terga, to collect a debt.

The plaintiff sets forth that according to the note duly presented (removed from the file), Andres Fernandez and Juan de la Terga owe him 500 pesos for value received in merchandise,

No. 3331. 5 pp.

Court of Governor Estaban Miro.

No Assessor.

Escribano, Fernando Rodriguez.

This simple suit to collect a debt well illustrates the difficulty of meeting an obligation, for the satisfaction of which the debtors are dependent upon the collection of obligations due them and upon anticipated profits of trade, which are not realized.

and whereas the date of maturity has arrived and he has reminded the defendants of their debt, several times, he has not been able to collect. Therefore, he prays the Court to order them to appear and acknowledge their signatures, under oath, and done order them to pay their obligation. Governor Miro rules: Let them acknowledge, swear and declare to the contents, as petitioned; entrust the taking of their declarations to the Escribano, and done let these depositions be delivered to the Court.

Fernando Rodriguez certifies that Joseph Cultia appeared in his office and told him that through the intercession of His Lordship he has made an extension of time to Juan de la Terga and Andres Fernandez, and asked to have these proceedings delivered to him with the note he has presented, it being well understood that the extension would last until November of the current year, only.

In December, Joseph Cultia again petitions to say that the defendants have not paid their debt during the extension he had granted them, which ended in the previous month. Therefore, may it please the Court to order the foregoing decree fulfilled, wherein the defendants were required to verify their signatures and acknowledge the debt. Governor Miro rules: Fulfill and execute the decree of the 23rd of last September.

On December 4, 1783, Andres Fernandez, under oath, before the Escribano, upon seeing the note, said the signature at the end is his and that he owes the amount stipulated therein. At the time he asked for two months extension, he was confident he would receive 107 pesos 5 reales from Havana, which His Lordship ordered collected in that city from Felipe Codallos, on an obligation for 250 pesos, besides 115 that Francisco Molina owes him, but these amounts have not been paid, because the sale brought so little, being hardly enough for ordinary expenses. It was necessary to withdraw the said sale, as effects that should have sold for 900 or more pesos, when put up at public auction did not bring the one-fifth of their value. He has not been able to discharge his debt, since these collections above mentioned have not been made, nor will he be able to do so, if His Lordship is not pleased to order them to pay him the stated sums. This is the truth, according to his oath. He is 40 years of age; and he signed, to which the Escribano attests.

Juan de la Terga declares, under oath, upon seeing the note, that the signature at the end is his and that he owes 250 pesos, for his part. He paid 100 pesos, on account, before the date of maturity.

Joseph Cultia presents his third petition, averring that according to the evidence given in the depositions of the defendants, they owe him 500 pesos. Therefore, he prays for a Writ of Execution against their persons and estates, and he swears by God, Our Lord, and a Sign of the Cross, in conformity to Law, that the sum is due and has never been paid. The records ends here.

September 24.

Luis Davis vs. the estate of Guillermo Strother, to collect a debt.

No. 3334. 2 pp.

Court of Alcalde Francisco Maria de Reggio.

No Assessor.

Escribano, Fernando Rodriguez.

This suit presents the unusual feature of an attempt to collect a debt, when the debtor has become insane following the date when the obligation was contracted.

Luis Davis states that he delivered 25 pesos to Guillermo Strother, to buy rice, and whereas the latter has become insane, he can not ask him to render an account of this amount. Therefore, may it please the Court to order Santiago Mather, to whom Mr. Strother's funds have been delivered, to pay him this said sum. Alferez de Reggio rules to send the above petition to Mr. Mather. The latter answers that it does not appear from Guillermo Strother's books that he ever received the sum stipulated by Mr. Davis. He prays that he be ordered to prove his claim more clearly, and done it will be pro rated and he will be paid with the rest of the creditors. The proceeding ends here and apparently nothing further was done in the matter until the settlement with the other Strother claimants.

September 25.

Proceedings brought by Eleonor Fenetau, to sell a piece of land.

No. 3339. 1 p.
Court of Alcalde
Francisco Maria de Reggio.

No Assessor.

Escribano,
Fernando Rodriguez.

Eleonor Fenetau sets forth that she has a plantation, measuring 4 arpents front, more or less, situated about 9 leagues below this Capital, left her by her husband at the time of his death. She can not manage it alone, because she is a woman, therefore she prays to be authorized to sell it and that the order be given to any Escribano to draw up the necessary document to this effect. Alferez de Reggio rules: As it is

This case illustrates the legal procedure followed in granting permission for the sale of real property belonging to a succession, as requested by the widow of the deceased.

September 26.

Proceedings brought by Francisco Mayronne, to be granted a permit to proceed with the sale of a Brigantine, the San Jose.

No. 15. 15 pp.

Court of Intendant Martin Navarro.

No Assessor.

Escribano, Rafael Perdomo.

This case illustrates the legal formalities necessary to enable the owner of a ship to secure permission to sell the vessel in New Orleans. After the owner produces legal proof of ownership, the permit requested is granted by the Court. The proceedings come before the Intendant's Court, since the issue involved is one pertaining to commerce.

prayed. Let the necessary act be issued by any one of the Escribanos del Numero.

Francisco Mayronne states that he wishes to buy a Brigantine, the San Joseph, from Alexo Lasmastres, and prays to be granted the necessary permit to do so. Martin Navarro rules: Let Alexo Lasmastres prove his title to ownership to the said Brigantine and a decree will be rendered.

The next entry is a certified copy of an Act of Sale, dated New Orleans, September 15, 1783, executed before Rafael Perdomo, which stipulates that Pedro Saint Gassier sells to Alexo Lasmastres, a Brigantine, named the San Jose, of 70 to 80 tons, more or less, which is the same that he bought from Enrrique Shcas, a resident of the Port of Nueba Llorca (New York) in the North of America, by a simple agreement on the 6th of last May. He now sells the Brigantine with all its masts, sails, rigging and cordage, anchors, cables and the rest, joined to and concerning it, in the state it is now. This said Brigantine is anchored in this Port and is free of all liens and mortgages, as the Annotator (Cancellor of Mortgages) has affirmed, for the sum of 1350 hard pesos, which have been paid in cash and which he acknowledges to have received, and authorizes a formal receipt for same. Alexo Lasmastres, here present, accepts the sale.

Alexo Lasmastres then petitions, averring that he has been notified of a decree by which he was ordered to prove his ownership to the said Brigantine, and pursuant to the above he presents a certified copy of a written Act of Sale, drawn up in his favor by the present Escribano, so that in consequence whereof it may have the desired effect as prayed. Intendant Navarro receives this petition and later rules: Whereas, Let him deliver it to Francisco Mayronne, so that he may promote what is convenient.

Francisco Mayronne then sets forth that the presentation of the title to ownership which Mr. Lasmastres was ordered to exhibit, having been made, may it please His Lordship to

approve it in all its parts, and to interpose his authority and judicial decree for its greater force and validation, also to order the present Escribano to draw up a written Act of Sale for the said Brigantine and to give the petitioner a certified copy of these entire proceedings, authorized in public form in a way that will have credit, and he will promptly pay all just and due fees. Martin Navarro decrees: Seeing the representation by Francisco Mayronne and also the title to ownership which Alexo Lasmastres has presented, by which clear possession has been proven that he claims to the Brigantine named the San Josef, His Lordship says that from now he declares and does declare (Lasmastres) the legitimate owner of the abovesaid boat, and in consequence whereof he has the faculty to proceed to the sale and alienation of it, therefore he offers no objections, conceding as he does concede to Francisco Mayronne the necessary permit to buy what he requests. Before drawing up the instrument of sale, by the present Escribano, His Lordship interposes and does interpose his authority and judicial decree, for its greater validation and force. Let a taxation of costs be made by the Escribano, and let the said Mayronne be given the certified copy he requests, upon the payment of just and due fees. Costs are taxed at 10 pesos 1 real by Rafael Perdomo.

[Note: the dates in this suit do not tally. Mayronne's first petition is dated September 26th, which is probably incorrect, because all subsequent entries are made before the 26th. The judgment is rendered to this first petition on September 15th, as is the Act of Sale, also. The certified copy of this said Act, and Lasmastres' petition are dated September 16th and Intendant Navarro's ruling to the latter, September 17th. The final decision and the taxation of costs, are dated September 18th.—L.L.P.]

September 26.

Proceedings brought by Rosa Bergeron, to sell a house.

No. 3321. 7 pp.

Court of Alcalde
Francisco Jose Le Bretton.

No Assessor.

Escribano,
Fernando Rodriguez.

Rosa Bergeron, widow of Lorenzo (Vigne) petitions, saying it is convenient to her to have testimony received to prove that she owns a house on Bourbon Street, which needs repair, because it is old. The cost of these repairs would be more that the house is actually worth. It would be prejudicial to her minor children to make them. Therefore, she prays that when this testimony is taken, if the result conforms to what she has stated, the Court will interpose its authority and judicial decree and order the present Escribano to execute the necessary Act of Sale for her. Alcalde Le

This case illustrates the legal formalities necessary for a widow to obtain per-

mission to sell a house, left by her late husband and being the property of his succession. After evidence is produced to the effect that it will be more advantageous to the minor heirs of the deceased to sell than to repair the house, a permit for the sale is granted, on condition that the proceeds of said sale be placed in the hands of the Curator of the minor heirs.

Bretton rules: Let the testimony be received that this party offers. The taking of it to be entrusted to the Escribano, and done let the depositions be brought to the Court.

The three witnesses, Pablo Assemard, Lorenzo Rebequy and Juan Pedro Esmiol, each in a separate declaration, states that it is true that Rosa Bergeron ownes a house on Bourbon Street, which was left her by her late husband, Lorenzo Vigne. It is very old and has suffered much from the hurricane which devastated this city. The house is in need of much repair, to make which would cost more than it is worth. It would be much more to the advantage and benefit of the minor children of the deceased to sell it.

Alcalde Le Bretton orders these deposition sent to Andres Reynaud, Curator ad bono of the minor children of Lorenzo Vigne.

Andres Reynaud answers, saying that he agrees to the sale of the house, as requested, considering that it would be to the better interests of the minors to do so. He prays the Court to order the funds from the sale put out at interest, in the hands of some trustworthy person. Alcalde Le Bretton receives the above for future ruling, which is rendered on September 30, 1783, in these words: Whereas, with what has been represented by Rosa Bergeron, the profit resulting from the sale of the houses, according to the testimony given and the acceptation of the judicial finding by Andres Reynaud, Curator ad bono of the minors of Lorenzo Vigne, His Honor says that he approves and does approve all as sufficient to proceed to the sale of the said house, and for this purpose he interposes his judicial decree, giving to the said Rosa Bergeron the faculty to alienate the said real property, provided the product is placed in the keeping of the said Curator, who will be held responsible for it. For this His Honor provided, ordered and signed, to which the Escribano attests. Let a taxation of costs be made. (If this taxation was ever made, it has disappeared from the folio.) The case ends here.

September 27.

Miguel Dragon, Testamentary Executor of Domingo Castel, vs. Leonardo La Seigne, to collect a debt of 200 pesos.

The first entry in this suit is the original promissory note, which reads: I, Lionnard La Seigne, under my ordinary mark and in the presence of witnesses, received and promise to pay to Dominique Castele, or his order, the sum of 1000 livres gourdes, on his return from Crepe. New

No. 3333. 4 pp.

Court of Alcalde
Francisco Le Bretton.

No Assessor.

Escribano,
Fernando Rodriguez.

This suit illustrates the legal procedure involved in collecting a debt due to a succession, when the creditor who held the note evidencing the obligation had previously died.

Orleans, the 30th of July, 1781. The Ordinary cross-mark of Lionnard La Seigne. Witnesses: Pierre Cerro and J Bte. Pichol.

Miguel Dragon, Testamentary Executor of the late Domingo Castel, petitions, averring that it is evident from the note he duly presents that Leonardo Laseigne owes the estate of the deceased 200 pesos, and although he has reminded him to pay this amount, many times, the money has never been collected. Therefore, he prays to have him ordered to declare, under oath and without delay, whether or not he owes this debt, and done deliver the declaration to him. Alcalde Le Bretton rules: Let him swear and declare as requested, the taking of his deposition to be entrusted to the Escribano, and done deliver the said deposition to the petitioner.

Leonardo La Seigne, upon seeing the note filed on page 1, swears it is true that he owes the amount stipulated therein. He is 50 years of age, and does not sign because he says he does not know how to write.

Alcalde Le Bretton decrees: Whereas, according to the foregoing declaration, the legitimacy of the debt is made evident, notify Leonardo La Seigne to pay Miguel Dragon, Testamentary Executor of Dominico Castell, the sum of two hundred pesos which is due. Let him be given a corresponding receipt to this effect, for his discharge.

The next entry is the receipt, which reads: In the city of New Orleans, on the said day, month and year, (September 29, 1783,) before me the Escribano and undersigned witnesses, appeared Miguel Dragon, resident therein, Testamentary Executor of Domingo Castel, who I attest I know, and he confessed to have received from Leonardo La Seigne of this vicinity, the sum of 200 pesos, which were due the deceased. He acknowledges to have received this sum, and because the delivery is not made now, he renounces the exception of non numerata pecunia and grants a formal receipt. Thus he authorizes and signs, the witnesses being Joseph Becat, Francisco Lioteau and Phelipe Guinault, residents of this city, here present. The record ends with this receipt.

September 29.

Leonardo La Sena vs. Domi-

Leonardo Laseña (La Seigne) presents a note of the year 1779, signed Dominique Castel, and sets forth that as appears from this

nico Castel, to collect 49 pesos 5 reales.

No. 3348. 5 pp.

Court of Alcalde Francisco Le Bretton.

No Assessor.

Escribano, Fernando Rodriguez.

This case illustrates the procedure involved in collecting a debt, when the signer of the note evidencing the obligation had died. After the deceased's signature on the note is verified by competent witnesses, the Court orders the obligation paid.

note duly presented the succession of the late Domingo Castelle owes him 49 pesos 5 reales, therefore he prays to have Miguel Dragon, Executor and Guardian of the estate, ordered to pay him the sum mentioned above, under the corresponding receipt. Alcalde Le Bretton decrees: The note mentioned having been presented, and whereas the one who signed it does not exist, let the present Escribano compare the signature at the end of the note (with one in his file, known to have been made by the late Mr. Castel), and done notify Miguel Dragon, Testamentary Executor, of the result of the comparison.

In the city of New Orleans, on the said day, month and year, (September 29, 1783,) I, the Escribano, pursuant to the foregoing decree, before the undersigned witnesses, searched in the Office under my charge and there I found various signatures that they said were Dominique Castel's, and having compared and collated them with the one at the end of the note presented on page 1, these were found to be alike and seem to have been made by one and the same hand, and in testimony whereof I set this down as a matter of record, the witnesses being Joseph Becat, Phelipe Guinault and Francisco Lioteau, residents of this city, here present.

Miguel Dragon then answers, saying that it is evident Domingo Castell owes the money, therefore he offers no objections to the payment of the debt, as he has been ordered to do. Alcalde Le Bretton receives this petition and later decrees: Whereas, it appears from the certification of comparison, made by the present Escribano, that the signature at the end of the note presented on page 1 of these proceedings is the same as those in his file made by Mr. Castell, therefore he authorizes Miguel Dragon to pay to Leonard La Sena the sum of 49 pesos 5 reales, this judgment serving as his discharge when the accounts of the said succession will be rendered. The record ends here.

(To be continued)

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933, of The Louisiana Historical Quarterly, published quarterly at New Orleans, Louisiana, for October 1, 1938.

State of Louisiana }
Parish of East Baton Rouge } ss.

Before me, a Notary Public in and for the State and Parish aforesaid, personally appeared Walter Prichard, who, having been duly sworn according to law, deposes and says that he is the Editor of The Louisiana Historical Quarterly, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Acts of August 24, 1912, and March 3, 1933, embodied in section 537, Postal Laws and Regulations, to-wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher: The Louisiana Historical Society, The Cabildo, New Orleans, La.

Editor: Walter Prichard, University, La.

Managing Editor: None.

Business Managers: None.

2. That the owner is: The Louisiana Historical Society, The Cabildo, New Orleans, La.

There are no stockholders. The officers are:
Edward A. Parsons, President, New Orleans, La.
André Lafargue, First Vice-President, New Orleans, La.
James Wilkinson, Second Vice-President, New Orleans, La.
Frank H. Waddill, Third Vice-President, New Orleans, La.
J. Fair Hardin, Vice-President, Shreveport, La.
William A. Read, Vice-President, University, La.
William Boizelle, Recording Secretary, New Orleans, La.
Henry M. Gill, Corresponding Secretary, New Orleans, La.
Walter Prichard, Editor, University, La.
J. B. Donnes, Treasurer, New Orleans, La.

3. That the known bondholders, mortgagees, and other security holders are: None.

4. That the two paragraphs next above, giving the names of the owners, officers, etc., contain the full list of such; also that the said two paragraphs contain statements embracing the affiant's full knowledge and belief as to the circumstances and conditions under which the said publication is published, managed and controlled.

(Signed) Walter Prichard, Editor.

Sworn to and subscribed before me this 20th day of September, 1938.

(SEAL) J. Denson Smith, Notary Public.
(My commission is indefinite.)